

Planning & Zoning Commission Agenda

Tuesday, January 31, 2023 6:00 PM

City Hall - 141 W. Renfro Burleson, TX 76028

Call to Order

Invocation

Pledge of Allegiance

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 January 17, 2023 Planning & Zoning Commission meeting.
- B. Replat of Pleasant Manor Estates, Lots A1 and A2, Block 10, located directly east of Evelyn Lane with an approximate address of 619 Evelyn Ln, within the City of Burleson. (Case 22-129): Consider approval of a Replat for Pleasant Manor Estates.
- C. Final Plat for Silo Mills Phase 1C.2, containing Lots 2X, Block 1; Lots 6-9, Block 2; Lots 1-8, 18X & 20-39, Block W; Lots 1-4, 5X & 6-18, Block X; Lots 1-10, Block Z; Lots 1-2, 3X & 4-5, Block CC, located at the southeast intersection of FM 917 and CR 1017, with an approximate address of 3817 W FM 917, in the City of Burleson and the City of Cleburne ETJ. (Case 22-163): Consider approval of a Final Plat for Silo Mills Phase 1C.2. (Staff Presenter: Emilio Sanchez, Assistant Director Development Services)

4. Public Hearing



500 CR 1021 (Case 22-164): Hold a public hearing and consider an ordinance for a zoning change request from "A" Agriculture to "SFE" Single-family estate district. (Staff Presenter: Lidon Pearce, Senior Planner)

5. Reports and Presentations

6. Community Interest Items

This is a standing item on the agenda of every regular meeting of the Planning and Zoning Commission. An "item of community interest" includes the following:

- -Expression of thanks, congratulations, or condolence;
- -Information regarding holiday schedules;
- -Honorary recognitions of city officials, employees, or other citizens;
- -Reminders about upcoming events sponsored by the city or other entity that is scheduled to be attended by city official or city employee; and
- -Announcements involving imminent public health and safety threats to the city.

7. Recess into Executive Session

The Planning & Zoning Commission reserves the right to convene in Executive Session(s) during this meeting pursuant to the following Sections of the Government Code of the State of Texas:

Pursuant to Sec. 551.071 consultation with its Attorney:

The Planning & Zoning Commission may conduct private consultations with its attorneys when the Planning & Zoning Commission seeks the advice of its attorney concerning any item on this agenda or a matter in which the duty of the attorney to the Planning & Zoning Commission under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code.

8. 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 27th of January 2023, 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 <u>the</u> 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: January 31, 2023

SUBJECT:

Approve the minutes from January 17, 2023 Regular Session of the Planning & Zoning Commission meeting.

SUMMARY:

Minutes from the January 17, 2023 Regular Session of the Planning & Zoning Commission meeting.

OPTIONS:

Approve as presented

RECOMMENDATION:

Approve the minutes from the January 17, 2023 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

January 17, 2023 MINUTES

Roll Call

Commissioners Present

Adam Russell(Chair)
David Hadley
Cobi Tittle
Bill Janusch
Clint Faram
Bobby Reading

Commissioners Absent

Michael Tune

Staff

Matt Ribitzki, City Attorney
Tony McIlwain, Director Development Services
Lidon Pearce, Planner
Michelle McCullough, Assistant Director Public Works
Travis Attanasio, City Engineer
Peggy Fisher, Administrative Assistant

REGULAR SESSION

1. Call to Order - 6:05 PM

Invocation – Clint Faram

Pledge of Allegiance

2. Citizen Appearance

None

3. Consent Agenda

A. Consider approval of the minutes from December 13, 2022 Planning and Zoning Regular Commission meeting. (Staff Contact: Tony McIlwain, Director Development Services).

- **B.** Sherwood Forest Estates addressed as 3301 FM 731 (Case 22-142): Consider approval of a final plat for Sherwood Forest Estates, Lots 1-24, Block 1. (Staff Presenter: Lidon Pearce, Senior Planner)
- C. Forest Meadows; Lots 29R1 and 29R2, Block 1 (Case 22-148): Consider approval of a replat of Lot 29, Block 1, of Forest Meadows. (Staff Presenter: Lidon Pearce, Senior Planner)

Motion made by Commissioner Dan Taylor and second by Commissioner Clint Faram to approve the consent agenda.

Motion passed, 6-0. Commissioner Michael Tune was absent.

4. Public Hearing

A. Ordinance Modification for text amendments to Appendix B, Zoning, Article I, Board of Adjustments and Appendix C, Urban Design Standards, Article IV Old Town Design Standards, Old Town Design Standards Committee: Hold a public hearing and consider an ordinance amending the number of voting members and terms of members for the Board of Adjustments and Old Town Design Standards Committee. (Staff Presenter: Amanda Campos, City Secretary)

Amanda Campos presented the case to the Commission, reviewed the staff report, and answered questions from the Commission.

Commission Chairman Adam Russell opened the public hearing at 6:18 p.m.

Commission Chairman Adam Russell closed the public hearing at 6:19 p.m.

Motion made by Commissioner David Hadley and second by Commissioner Clint Faram to approve.

Motion passed, 6-0. Commissioner Michael Tune was absent.

B. 2500 SW Hulen St (TOD Mixed-Use) (Case 22-131): Hold a public hearing and consider an ordinance for a zoning change request from "PD" Planned Development district, to "PD" Planned Development district, to allow for commercial and multifamily residential development on 35.20 acres. (Staff Presenter: Lidon Pearce, Senior Planner)

Lidon Pearce presented the case to the Commission, reviewed the staff report, and answered questions from the Commission.

Commission Chairman Adam Russell opened the public hearing at 6:29 p.m.

Lina Knight, 2624 SW Hulen, addressed the commissioners on this item and spoke against it regarding flooding issues and traffic.

Clint Nolen, owner, addressed the commissioners regarding this item and said he would be available to answer questions.

Commission Chairman Adam Russell closed the public hearing at 6:36 p.m.

Motion made by Commissioner Dan Taylor and second by Commissioner Clint Faram to approve.

Motion passed, 6-0. Commissioner Michael Tune was absent.

C. 2825 S Burleson (Case 22-152): Hold a public hearing and consider an ordinance for a zoning change request from "A", Agriculture to "C" Commercial. (Staff Presenter: Lidon Pearce, Senior Planner)

Lidon Pearce resented the case to the Commission, reviewed the staff report, and answered questions from the Commission.

Commission Chairman Adam Russell opened the public hearing at 6:43 p.m.

Chris Reed, 6825 CR 518, addressed the commissioners and spoke against this item.

Commission Chairman Adam Russell closed the public hearing at 6:57 p.m.

Motion made by Commissioner Dan Taylor and second by Commissioner Bill Janusch to approve.

Motion passed, 6-0.

D. 4139 S Burleson Blvd (Case 22-139): Hold a public hearing and consider a resolution approving a waiver to Section 5.5.E "Parking Lot/Site Layout Design Criteria" of the Design Standards Manual as amended by Resolution R-1175-10 for the parking lot design within 4139 S. Burleson Blvd. (Staff Presenter: Travis Attanasio, Senior Civil Engineer)

Travis Attanasio resented the case to the Commission, reviewed the staff report, and answered questions from the Commission.

Commission Chairman Adam Russell opened the public hearing at 7:09 p.m.

Commission Chairman Adam Russell closed the public hearing at 7:09 p.m.

Motion made by Commissioner Bill Janusch and second by Commissioner Cobi Tittle to approve with staff recommendations.

Motion passed, 5-1. Commissioner David Hadley was opposed. Commissioner Michael Tune was absent.

5. Reports and Presentations

None

6. Community Interest Items

None

7. Executive Session

The Planning & Zoning Commission reserves the right to convene in Executive Session(s) during this meeting pursuant to the following Sections of the Government Code of the State of Texas:

with 1. Pursuant to Sec. 551.071 consultation its Attorney: The Planning & Zoning Commission may conduct private consultations with its attorneys when the Planning & Zoning Commission seeks the advice of its attorney concerning any item on this agenda or a matter in which the duty of the attorney to the Planning & Zoning Commission under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts the with Chapter 551 of Government Code.

8. Adjourn

There being no further business Chair Adam Russell adjourned the meeting.

Time – 7:17PM

Peggy Fisher Administrative Assistant Recording Secretary





Planning & Zoning Commission Meeting

DEPARTMENT: Development Services

FROM: JP Ducay, Senior Planner

MEETING: January 31, 2023

SUBJECT:

Replat of Pleasant Manor Estates, Lots A1 and A2, Block 10, located directly east of Evelyn Lane with an approximate address of 619 Evelyn Ln, within the City of Burleson. (Case 22-129): Consider approval of a Replat for Pleasant Manor Estates.

SUMMARY:

On September 6, 2022, an application for a Replat including 11.536 acres was submitted by Matt Powell, with DFW Geodesy (applicant) on behalf of the Burleson Independent School District (BISD). The purpose of this replat is to create Lot A2, Block 10, based upon conveyance to the City of Burleson. The application is administratively complete and meets the requirments of Appendix A – Subdivision and Development regulations.

OPTIONS:

- 1) Approve the Replat; or
- Deny the Replat.

RECOMMENDATION:

Staff recommends approval of the Replat of Pleasant Manor Estates, Lots A1 and A2, Block 10, located directly east of Evelyn Lane with an approximate address of 619 Evelyn Ln, within the City of Burleson. (Case 22-129)

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

<u>July 15, 1975</u>: The Final Plat of Pleasant Manor Estates was approved by City Council.

PUBLIC NOTIFICATION:

The Texas Local Government Code (LGC) requires property owners within 200 feet of a residential Replat to receive a mailed notice post approval according to section 212.015 for the LGC.

FISCAL IMPACT:

None

STAFF CONTACT:

JP Ducay Development Services – Senior Planner <u>jducay@burlesontx.com</u> 817-426-9648





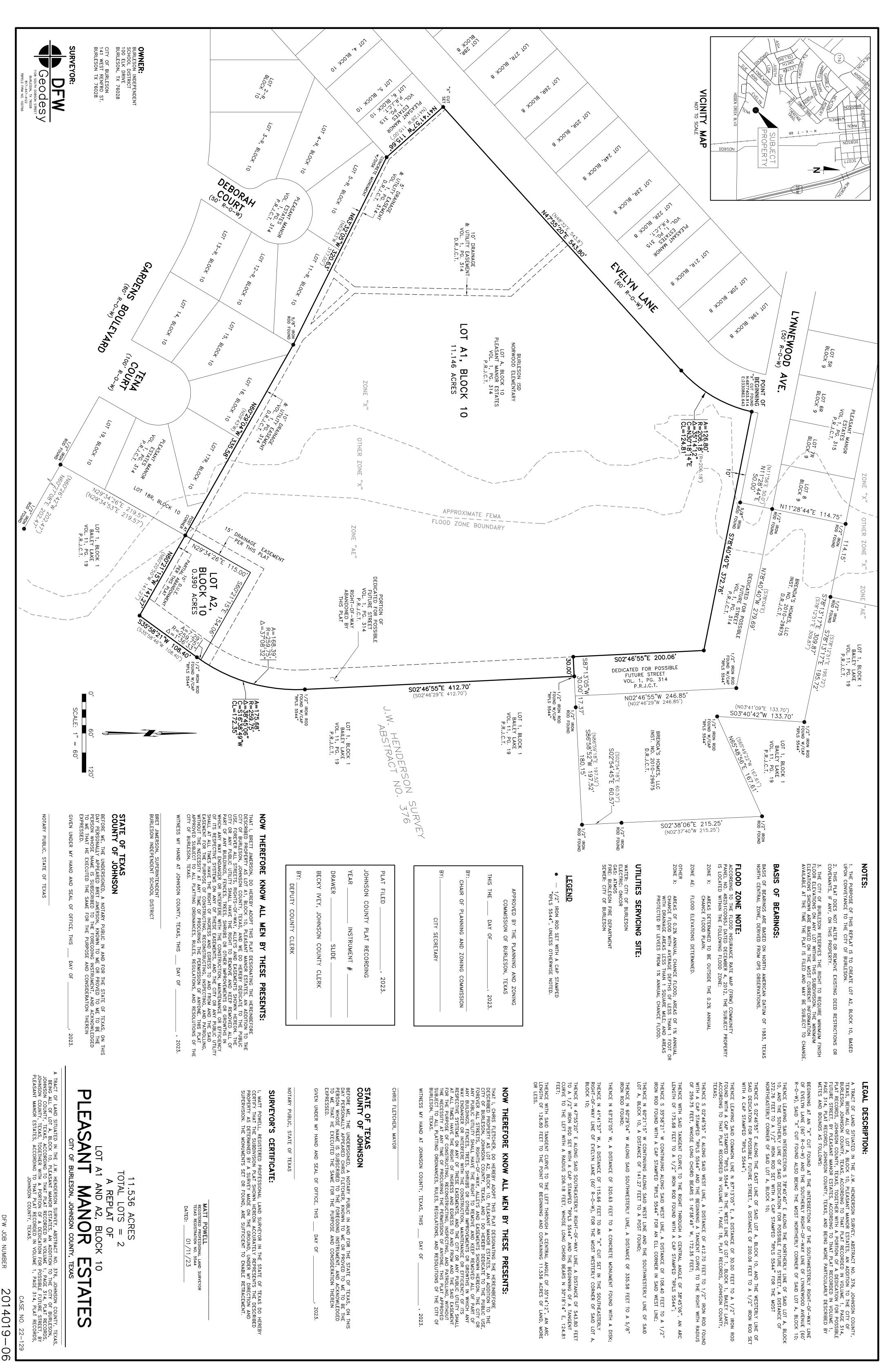
Pleasant Manor Estates



Replat Case 22-129



Vicinity Map





Planning & Zoning Commission Meeting

DEPARTMENT: Development Services

FROM: Emilio Sanchez, Assistant Director of Development Services

MEETING: January 31, 2023

SUBJECT:

Final Plat for Silo Mills Phase 1C.2, containing Lots 2X, Block 1; Lots 6-9, Block 2; Lots 1-8, 18X & 20-39, Block W; Lots 1-4, 5X & 6-18, Block X; Lots 1-10, Block Z; Lots 1-2, 3X & 4-5, Block CC, located at the southeast intersection of FM 917 and CR 1017, with an approximate address of 3817 W FM 917, in the City of Burleson and the City of Cleburne ETJ. (Case 22-163): Consider approval of a Final Plat for Silo Mills Phase 1C.2. (Staff Presenter: Emilio Sanchez, Assistant Director Development Services)

SUMMARY:

On December 12, 2022, an application for a Final Plat, including 22.900 acres, was submitted by Tom Dayton with Johnson Volk Consulting Inc. (Applicant) on behalf of the Bret Pedigo with Silo Mills Investment V, LLC. (Owner). The Silo Mills Phase 1C.2, includes 63 residential lots and 4 open space lots on 22.900 acres with 7 of the residential lots and portions of 2 of the open space lots located in the City of Burleson ETJ, and the remaining 56 residential lots and the remainder of the 4 open space lots located in the City of Cleburne ETJ. The subject property is located in the City of Cleburne and the City of Burleson's Extraterritorial Jurisdiction (ETJ) so there is no zoning associated with the site.

On July 19, 2021, a revised Preliminary Plat for Silo Mills was approved by City Council (Case 21-057). The approved Silo Mills Preliminary Plat included the area that contains the Silo Mills Phase 1C.2 Final Plat area. The Final Plat (Case-22-163) is in compliance with the approved revised Preliminary Plat.

The application is administratively complete and meets the requirements of Appendix A – Subdivision and Development regulations.

OPTIONS:

- 1) Approve the Final Plat
- 2) Deny the Final Plat

RECOMMENDATION:

Recommend approval of the Final Plat for Silo Mills Phase 1C.2, containing Lots 2X, Block 1; Lots 6-9, Block 2; Lots 1-8, 18X & 20-39, Block W; Lots 1-4, 5X & 6-18, Block X; Lots 1-10, Block Z; Lots 1-2, 3X & 4-5, Block CC, located at the southeast intersection of FM 917 and CR 1017, with an approximate address of 3817 W FM 917, in the City of Burleson and the City of Cleburne ETJ. (Case 22-163)

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

February 2015 - Pre-development and Professional Services Agreement with Joshua Land Farm LLC approved by City Council

February 2018 - Development Agreement with Joshua Land Farm LLC and the Joshua Farms Municipal Management District No. 2 approved by City Council

November 2018 – Resolution consenting to the addition of approximately 180 acres in the ETJ to Joshua Farms Municipal Management District No. 2 approved by City Council.

<u>September 2019</u> - Preliminary Plat and the Development Standards were incorporated into the Development Agreement, which was approved by City Council.

May 2021 – A Silo Mills overview presentation was provided to Planning and Zoning Commission and City Council by staff.

June 22, 2021- The revised Preliminary Plat for Silo Mills was unanimously recommended for approval by the Planning and Zoning Commission.

July 19, 2021- The revised Preliminary Plat for Silo Mills was approved by City Council.

November 15, 2022- Final Plat for Silo Mills Phase 1C.1 was approved by Planning and Zoning Commission.

FISCAL IMPACT:

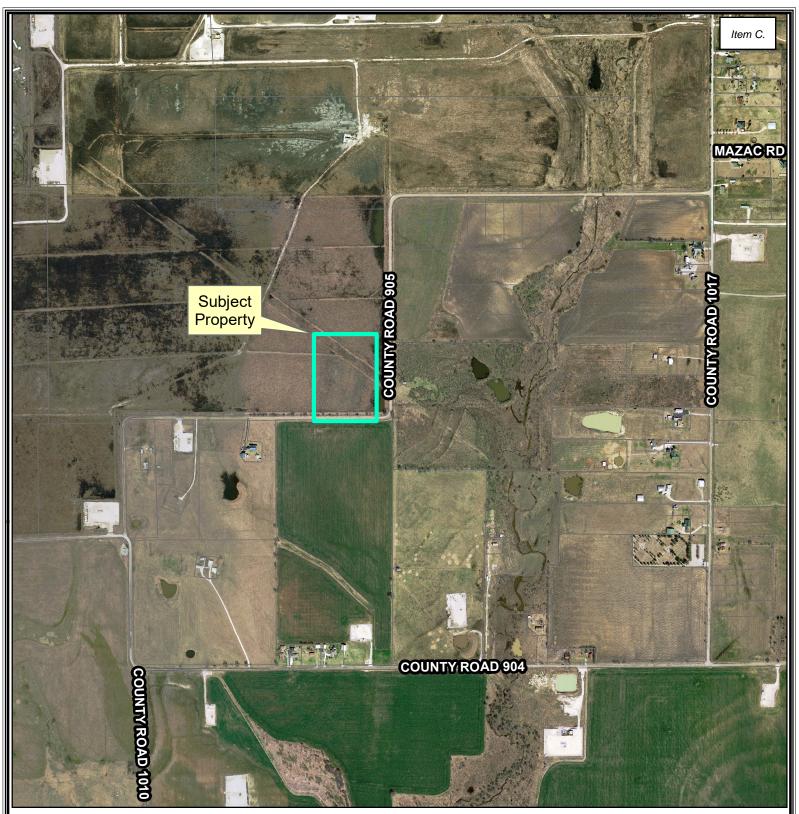
None

PUBLIC NOTIFICATION:

No public input required for this request

STAFF CONTACT:

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





Silo Mills Phase 1C.2

Lots 2X, Block 1; Lots 6-9,

Block 2; Lots 1-8, 18X & 20-39,

Block W; Lots 1-4, 5X & 6-18,

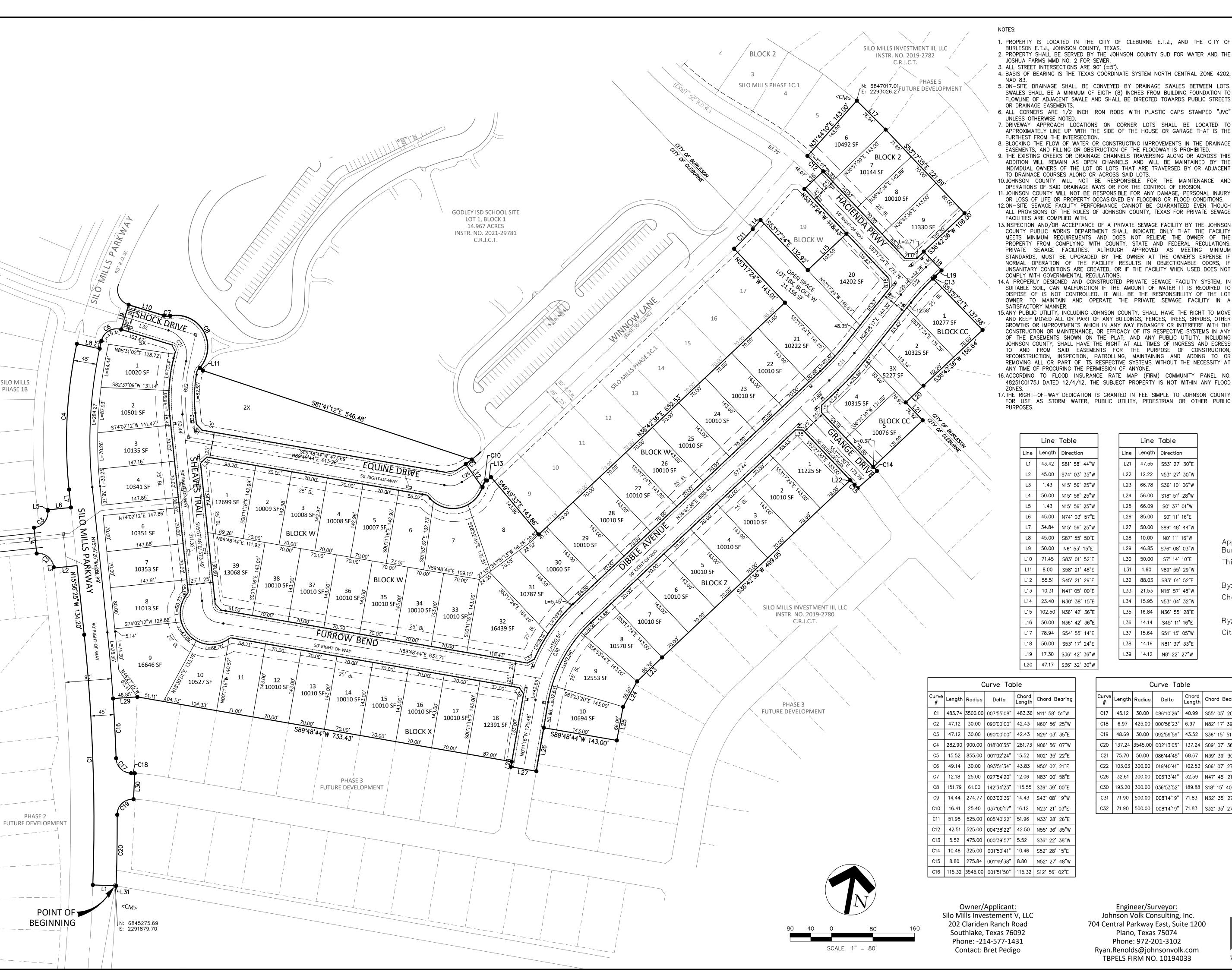
Block X; Lots 1-10, Block Z;

Lots 1-2, 3X & 4-5, Block CC

Case 22-163



Vicinity Map



- 1. PROPERTY IS LOCATED IN THE CITY OF CLEBURNE E.T.J., AND THE CITY OF BURLESON E.T.J., JOHNSON COUNTY, TEXAS. 2. PROPERTY SHALL BE SERVED BY THE JOHNSON COUNTY SUD FOR WATER AND THE
- JOSHUA FARMS MMD NO. 2 FOR SEWER. 3. ALL STREET INTERSECTIONS ARE 90° (±5°). 4. BASIS OF BEARING IS THE TEXAS COORDINATE SYSTEM NORTH CENTRAL ZONE 4202,
- 5. ON-SITE DRAINAGE SHALL BE CONVEYED BY DRAINAGE SWALES BETWEEN LOTS. SWALES SHALL BE A MINIMUM OF EIGTH (8) INCHES FROM BUILDING FOUNDATION TO FLOWLINE OF ADJACENT SWALE AND SHALL BE DIRECTED TOWARDS PUBLIC STREETS OR DRAINAGE EASEMENTS.
- UNLESS OTHERWISE NOTED. 7. DRIVEWAY APPROACH LOCATIONS ON CORNER LOTS SHALL BE LOCATED TO
- APPROXIMATELY LINE UP WITH THE SIDE OF THE HOUSE OR GARAGE THAT IS THE FURTHEST FROM THE INTERSECTION 8. BLOCKING THE FLOW OF WATER OR CONSTRUCTING IMPROVEMENTS IN THE DRAINAGE

EASEMENTS, AND FILLING OR OBSTRUCTION OF THE FLOODWAY IS PROHIBITED.

- 9. 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.
- 10. JOHNSON COUNTY WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATIONS OF SAID DRAINAGE WAYS OR FOR THE CONTROL OF EROSION. 11. JOHNSON COUNTY WILL NOT BE RESPONSIBLE FOR ANY DAMAGE, PERSONAL INJURY
- OR LOSS OF LIFE OR PROPERTY OCCASIONED BY FLOODING OR FLOOD CONDITIONS. 12.0N-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.
- 13.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.
- 14.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.
- 15.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.
- 16.ACCORDING TO FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 48251C0175J DATED 12/4/12, THE SUBJECT PROPERTY IS NOT WITHIN ANY FLOOD
- 17.THE RIGHT-OF-WAY DEDICATION IS GRANTED IN FEE SIMPLE TO JOHNSON COUNTY FOR USE AS STORM WATER, PUBLIC UTILITY, PEDESTRIAN OR OTHER PUBLIC

	Line	Table		Line	Table
Line	Length	Direction	Line	Length	Direction
L1	43.42	S81° 58′ 44″W	L21	47.55	S53° 27′ 30″
L2	45.00	S74° 03' 35"W	L22	12.22	N53° 27′ 30″
L3	1.43	N15° 56' 25"W	L23	66.78	S36° 10' 06"
L4	50.00	N15° 56' 25"W	L24	56.00	S18° 51' 28"
L5	1.43	N15° 56' 25"W	L25	66.09	S0° 37' 01"\
L6	45.00	N74° 03' 57"E	L26	85.00	S0° 11' 16"E
L7	34.84	N15° 56' 25"W	L27	50.00	S89° 48′ 44″
L8	45.00	S87° 55' 50"E	L28	10.00	N0° 11' 16"V
L9	50.00	N6° 53′ 15″E	L29	46.85	S76° 08' 03"
L10	71.45	S83° 01' 52"E	L30	50.00	S7° 14' 10"E
L11	8.00	S58° 21' 48"E	L31	1.60	N89° 55' 29"
L12	55.51	S45° 21' 29"E	L32	88.03	S83° 01' 52"
L13	10.31	N41° 05' 00"E	L33	21.53	N15° 57' 48"
L14	23.40	N30° 38' 15"E	L34	15.95	N53° 04' 32"
L15	102.50	N36* 42' 36"E	L35	16.84	N36° 55' 28'
L16	50.00	N36* 42' 36"E	L36	14.14	S45° 11' 16"
L17	78.94	S54° 55' 14"E	L37	15.64	S51° 15' 05"
L18	50.00	S53° 17' 24"E	L38	14.16	N81° 37′ 33″
L19	17.30	S36° 42' 36"W	L39	14.12	N8° 22' 27"\
L20	47.17	S36° 32' 30"W			

LONGHORN	
1011 SITE 1010 1010 1010	905 / / / / / / / / / / / / / / / / / / /
VICINITY MAP NOT TO SCALE	
• Point of Curvature or Tangency or Center Line	

- 1/2" iron rod w/ yellow plastic cap
- stamped "JVC" set (unless otherwise noted)
- 1/2" iron rod found w/ yellow plastic cap stamped "JVC" (unless otherwise noted)
 - Building Line
- Curve No. Center Line
- Control Monument
- Drainage Easement Easement
- Line No.
- Curve No.
- Square Feet
- Utility Easement
- Water Line Easement C.R.J.C.T. = County Records of Johnson County, Texas

Approved by the Planning and Zoning Commission of Burleson, Texas

This the _____ day of ____ , 20 _____

By: _____

Chair of Planning and Zoning Commission

Ву; _____

City Secretary

Curve Table FINAL PLAT Curve | Length | Radius | Delta | Chord | Chord Bearing SILO MILLS C17 | 45.12 | 30.00 | 086°10'26" | 40.99 | S55° 05' 20"E PHASE 1C.2 C18 | 6.97 | 425.00 | 000°56′23" | 6.97 | N82° 17′ 39"E LOT 2X, BLOCK 1; LOTS 6-9, BLOCK 2 C19 | 48.69 | 30.00 | 092°59′59" | 43.52 | S36° 15′ 51"W LOTS 1-8, 18X & 20-39, BLOCK W C20 | 137.24 | 3545.00 | 002°13'05" | 137.24 | S09° 07' 36"E C21 75.70 50.00 086°44'45" 68.67 N39° 39' 30"W

LOTS 1-4, 5X & 6-18, BLOCK X LOTS 1-10, BLOCK Z LOTS 1-2, 3X & 4-5, BLOCK CC 63 SINGLE FAMILY LOTS & 4 OPEN SPACE LOTS 22.900 ACRES OUT OF THE A.J. TUCKER SURVEY, ABSTRACT NO. 833 CITY OF CLEBURNE ETJ, CITY OF BURLESON ETJ, JOHNSON COUNTY, TEXAS PROPOSED ZONING: PD

> 28 December 2022 SHEET 1 OF 2

JOHNSON VOLK CONSULTING TBPELS: Engineering Firm No. 11962 / Land Surveying Firm No. 10194033 704 Central Parkway East | Suite 1200 | Plano, TX 75074 | 972.201.3100

Engineer/Surveyor: Johnson Volk Consulting, Inc. 704 Central Parkway East, Suite 1200 Plano, Texas 75074 Phone: 972-201-3102 Ryan.Renolds@johnsonvolk.com **TBPELS FIRM NO. 10194033**

C22 | 103.03 | 300.00 | 019°40'41" | 102.53 | S06° 07' 27"E

C26 32.61 300.00 006°13'41" 32.59 N47° 45' 21"E

C30 | 193.20 | 300.00 | 036°53'52" | 189.88 | S18° 15' 40"W

C31 71.90 500.00 008°14'19" 71.83 N32° 35' 27"E

C32 71.90 500.00 00814'19" 71.83 S32 35' 27"W

BEING a tract of land situated in the A.J. TUCKER SURVEY, ABSTRACT NO. 833, Johnson County, Texas and being part of that tract of land described in Deed to Silo Mills Investment I LLC, as recorded in Document No. 2019—2779, Deed Records, Johnson County, Texas and being part of that tract of land described in Deed to Silo Mills Investment II LLC, as recorded in Document No. 2019—2780, Deed records, Johnson County, Texas and being part of that tract of land described in Deed to Silo Mills Investment III LLC, as recorded in Document No. 2019—2782, Deed Records, Johnson County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found in the west line of County Road No. 1010, a variable width right—of—way, for an interior ell corner of said Silo Mills Investment II LLC tract;

THENCE South 00 degrees 23 minutes 03 seconds East, with said west line, a distance of 0.22 feet to a point for corner;

THENCE South 82 degrees 15 minutes 55 seconds West, leaving said west line, a distance of 43.39 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a non—tangent curve to the left having a central angle of 07 degrees 55 minutes 08 seconds, a radius of 3,500.00 feet and a chord bearing and distance of North 11 degrees 58 minutes 51 seconds West, 483.36 feet;

THENCE Northerly, with said curve to the left, an arc distance of 483.74 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE North 15 degrees 56 minutes 25 seconds West, a distance of 134.20 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 74 degrees 03 minutes 35 seconds West, a distance of 45.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE North 15 degrees 56 minutes 25 seconds West, a distance of 1.43 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a curve to the left having a central angle of 90 degrees 00 minutes 00 seconds, a radius of 30.00 feet and a chord bearing and distance of North 60 degrees 56 minutes 25 seconds West, 42.43

THENCE Northwesterly, with said curve to the left, an arc distance of 47.12 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner:

THENCE North 15 degrees 56 minutes 25 seconds West, a distance of 50.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a curve to the left having a central angle of 90 degrees 00 minutes 00 seconds, a radius of 30.00 feet and a chord bearing and distance of North 29 degrees 03 minutes 35 seconds East, 42.43 feet:

THENCE Northeasterly, with said curve to the left, an arc distance of 47.12 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE North 15 degrees 56 minutes 25 seconds West, a distance of 1.43 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner:

THENCE North 74 degrees 03 minutes 57 seconds East, a distance of 45.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE North 15 degrees 56 minutes 25 seconds West, a distance of 34.84 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a curve to the right having a central angle of 18 degrees 00 minutes 35 seconds, a radius of 900.00 feet and a chord bearing and distance of North 06 degrees 56 minutes 07 seconds West, 281.73

THENCE Northerly, with said curve to the right, an arc distance of 282.90 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 87 degrees 55 minutes 50 seconds East, a distance of 45.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a non—tangent curve to the right having a central angle of 01 degrees 02 minutes 24 seconds, a radius of 855.00 feet and a chord bearing and distance of North 02 degrees 35 minutes 22 seconds East, 15.52 feet;

THENCE Northerly, with said curve to the right, an arc distance of 15.52 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a compound curve to the right having a central angle of 93 degrees 51 minutes 34 seconds, a radius of 30.00 feet and a chord bearing and distance of North 50 degrees 02 minutes 21 seconds East, 43.83 feet;

THENCE Northeasterly, with said curve to the right, an arc distance of 49.14 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner:

THENCE North 06 degrees 53 minutes 15 seconds East, a distance of 50.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner in the south line of that tract of land described in Deed to Godley Independent School District, as recorded in Document No. 2021—29781, Deed Records, Johnson County, Texas;

THENCE Easterly, with said south line, the following five (5) courses and distances:

South 83 degrees 01 minutes 52 seconds East, a distance of 71.45 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a curve to the left having a central angle of 27 degrees 54 minutes 20 seconds, a radius of 25.00 feet and a chord bearing and distance of North 83 degrees 00 minutes 58 seconds East, 12.06 feet:

Easterly, with said curve to the left, an arc distance of 12.18 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a reverse curve to the right having a central angle of 142 degrees 34 minutes 23 seconds, a radius of 61.00 feet and a chord bearing and distance of South 39 degrees 39 minutes 00 seconds East, 115.55 feet:

Southeasterly, with said curve to the right, an arc distance of 151.79 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

South 58 degrees 21 minutes 48 seconds East, a distance of 8.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

South 81 degrees 41 minutes 12 seconds East, a distance of 546.48 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a non—tangent curve to the right having a central angle of 03 degrees 00 minutes 27 seconds, a radius of 275.00 feet and a chord bearing and distance of South 43 degrees 08 minutes 17 seconds West, 14.43 feet;

THENCE Southerly, leaving said south line and with said curve to the right, an arc distance of 14.44 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 45 degrees 21 minutes 29 seconds East, a distance of 55.51 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a non—tangent curve to the right having a central angle of 37 degrees 00 minutes 17 seconds, a radius of 25.40 feet and a chord bearing and distance of North 23 degrees 21 minutes 03 seconds East, 16.12 feet;

THENCE Northerly, with said curve to the right, an arc distance of 16.41 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE North 41 degrees 05 minutes 00 seconds East, a distance of 10.31 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 49 degrees 49 minutes 33 seconds East, a distance of 143.86 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner:

THENCE North 36 degrees 42 minutes 36 seconds East, a distance of 652.53 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE North 53 degrees 17 minutes 24 seconds West, a distance of 143.01 feet to a 1/2 inch iron rod with a yellow plastic

cap stamped "JVC" set for corner at the beginning of a non—tangent curve to the left having a central angle of 05 degrees 40 minutes 22 seconds, a radius of 525.00 feet and a chord bearing and distance of North 33 degrees 28 minutes 26 seconds East, 51.96 feet;

THENCE Northeasterly, with said curve to the left, an arc distance of 51.98 feet to a 1/2 inch iron rod with a yellow plastic

THENCE North 30 degrees 38 minutes 15 seconds East, a distance of 23.40 feet to a 1/2 inch iron rod with a vellow plastic

cap stamped "JVC" set for corner;

THENCE South 53 degrees 17 minutes 24 seconds East, a distance of 132.92 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE North 36 degrees 42 minutes 36 seconds East, a distance of 102.50 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE North 53 degrees 17 minutes 24 seconds West, a distance of 118.43 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE North 36 degrees 42 minutes 36 seconds East, a distance of 50.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a non—tangent curve to the left having a central angle of 04 degrees 38 minutes 22 seconds, a radius of 525.00 feet and a chord bearing and distance of North 55 degrees 36 minutes 35 seconds West. 42.50 feet:

THENCE Northwesterly, with said curve to the left, an arc distance of 42.51 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE North 31 degrees 44 minutes 10 seconds East, a distance of 143.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 54 degrees 55 minutes 14 seconds East, a distance of 78.94 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 53 degrees 17 minutes 59 seconds East, a distance of 71.89 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 53 degrees 17 minutes 24 seconds East, a distance of 150.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 36 degrees 42 minutes 36 seconds West, a distance of 108.00 feet to a 1/2 inch iron rod with a yellow plastic

THENCE South 53 degrees 17 minutes 24 seconds East, a distance of 50.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner:

cap stamped "JVC" set for corner:

THENCE South 36 degrees 42 minutes 36 seconds West, a distance of 17.30 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a curve to the left having a central angle of 00 degrees 39 minutes 57 seconds, a radius of 475.00 feet and a chord bearing and distance of South 36 degrees 22 minutes 38 seconds West, 5.52 feet:

THENCE Southwesterly, with said curve to the left, an arc distance of 5.52 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 53 degrees 57 minutes 21 seconds East, a distance of 137.98 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner:

THENCE South 36 degrees 42 minutes 36 seconds West, a distance of 156.64 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 36 degrees 32 minutes 30 seconds West, a distance of 47.17 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 53 degrees 27 minutes 30 seconds East, a distance of 47.55 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 36 degrees 32 minutes 30 seconds West, a distance of 131.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a non—tangent curve to the right having a central angle of 01 degrees 50 minutes 41 seconds, a radius of 325.00 feet and a chord bearing and distance of South 52 degrees 28 minutes 15 seconds East, 10.46 feet;

THENCE Southeasterly, with said curve to the right, an arc distance of 10.46 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 38 degrees 27 minutes 06 seconds West, a distance of 50.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a non—tangent curve to the left having a central angle of 01 degrees 49 minutes 58 seconds, a radius of 275.00 feet and a chord bearing and distance of North 52 degrees 27 minutes 48 seconds West, 8.80 feet;

THENCE Northwesterly, with said curve to the left, an arc distance of 8.80 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE North 53 degrees 27 minutes 30 seconds West, a distance of 12.22 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 36 degrees 42 minutes 36 seconds West, a distance of 499.05 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 36 degrees 10 minutes 06 seconds West, a distance of 66.78 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 18 degrees 51 minutes 28 seconds West, a distance of 56.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 00 degrees 37 minutes 01 seconds West, a distance of 66.09 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 89 degrees 48 minutes 44 seconds West, a distance of 143.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 00 degrees 11 minutes 16 seconds East, a distance of 85.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 89 degrees 48 minutes 44 seconds West, a distance of 50.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE North 00 degrees 11 minutes 16 seconds West, a distance of 10.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 89 degrees 48 minutes 44 seconds West, a distance of 733.43 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner:

THENCE South 76 degrees 08 minutes 03 seconds West, a distance of 46.85 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a curve to the right having a central angle of 01 degrees 51 minutes 50 seconds, a radius of 3,545.00 feet and a chord bearing and distance of South 12 degrees 56 minutes 02 seconds East, 115.32

THENCE Southerly, with said curve to the right, an arc distance of 115.32 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a reverse curve to the left having a central angle of 86 degrees 10 minutes 26 seconds, a radius of 30.00 feet and a chord bearing and distance of South 55 degrees 05 minutes 20 seconds East, 40.99

THENCE Southeasterly, with said curve to the left, an arc distance of 45.12 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a reverse curve to the right having a central angle of 00 degrees 56 minutes 23 seconds, a radius of 425.00 feet and a chord bearing and distance of North 82 degrees 17 minutes 39 seconds East, 6.97 feet;

THENCE Easterly, with said curve to the right, an arc distance of 6.97 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 07 degrees 14 minutes 10 seconds East, a distance of 50.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a non—tangent curve to the left having a central angle of 92 degrees 59 minutes 59 seconds, a radius of 30.00 feet and a chord bearing and distance of South 36 degrees 15 minutes 51 seconds West, 43.52 feet;

THENCE Southwesterly, with said curve to the left, an arc distance of 48.69 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a reverse curve to the right having a central angle of 02 degrees 13 minutes 05 seconds, a radius of 3,545.00 feet and a chord bearing and distance of South 09 degrees 07 minutes 36 seconds West, 137.24 feet;

THENCE Southerly, with said curve to the right, an arc distance of 137.24 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner in the south line of the above mentioned Silo Mills Investment II LLC tract;

THENCE North 89 degrees 55 minutes 29 seconds West, with said south line, a distance of 1.60 feet to the POINT OF BEGINNING and containing 22.900 acres of land, more or less.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That SILO MILLS INVESTMENT III, LLC., does hereby bind themselves and their heirs, assignees and successors of title this plat designating the hereinabove described property as SILO MILLS — PHASE 1C.2, an addition to the City of Cleburne, and does hereby dedicate to the use of the public forever any streets, alleys, and right—of—way easements shown thereon, and does hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of garbage collection agencies and all utilities desiring to use or using same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements that in any way endanger or interfere with construction, maintenance or efficiency of its respective systems on any of these easement strips, and any public utility shall at all times have the right of ingress or egress to and from and upon the said easement strips for purpose of constructing, reconstructing, inspecting, patrolling, without the necessity at any time of procuring the permission of anyone. Additionally, SILO MILLS INVESTMENT III, LLC., certifies that it is the sole owner of the dedicated property and that no other's interest is attached to this property unless otherwise indicated on the required Mortgage Holder Certification that is included on this plat. Furthermore, as the owner of the property described herein, and in consideration of establishing the subdivision described herein, it agrees to the following:

• Every owner of fee simple title to every individual lot within the subdivision shall be a member of the homeowners' association;

• The homeowners' association shall have the authority to collect membership fees;

• As applicable as it pertains to conditions shown herein, the homeowners' association shall be responsible for the maintenance of all common areas, screening walls, landscaped areas, private streets and alleys.

The homeowners' association shall grant the City the right of access to any areas to abate any nuisances on such areas and attach a lien upon each individual lot for the prorated cost of abatement.
The homeowners' association shall indemnify and hold the City harmless from any and all costs, expenses,

suits, demand, liabilities, damages, or otherwise, including attorney fees and costs of suit, in connection wit the City's maintenance of common areas.
The homeowners' association shall, where additional rights—of—way has been dedicated for the purpose of

providing landscaping, additional areas for sidewalks, walls or other amenities, enter into a license agreemen with the City and shall be responsible for the installation and maintenance of all landscape areas in the public rights—of way.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Cleburne, Texas.

Planning and Zoning Commission Approval:

WHEREAS, the Planning and Zoning Commission of the City of Cleburne, Texas voted affirmatively on this _____ day of ______, 20___, to approve this plat.

Chair, Planning and Zoning Commission

WHEREAS, the City Council of the City of Cleburne, Texas voted affirmatively

on this _____ day of _____, 20___, to approve this plat.

Location Description: Along C.R. 1010 in the ETJ of the City of Cleburne and the ETJ

I hearby certify that all requirements of the "Subdivision Ordinance" concerning

submission and/or approval of information and data to the Director of Public Works

and the City Engineer, required for Final Plat approval, have been complied for the

Certificate of Director of Public Works

of the City of Burleson, Johnson County, Texas.

Addition: Silo Mills 1C.2

above reference subdivision.

Director of Public Works

City Council Approval:

Mayor, City of Cleburne

Attest: City Secretary

:
E OF TEXAS \$ TY OF COLLIN \$

Before me, the undersigned authority, a Notary Public in and of the State of Texas, on this day personally—appeared SILO MILLS INVESTMENT V, LLC., 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 purpose and consideration therein stated.

Given under my hand	and seal of office, this	day of, 20	
Notary public in and	for the State of Texas	My Commission Expires	

SURVEYOR'S CERTIFICATE:

STATE OF TEXAS §

COUNTY OF COLLIN §

SILO MILLS INVESTMENT V. LLC.

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

My commission expires: ______

THAT I, Ryan S. Reynolds, do hereby certify, that I prepared this plat from an actual on the ground survey of the land as described and that the corner monuments shown thereon were properly placed under y personal supervision in accordance with the Platting Rules and Regulations of the City of Lucas Planning and Zoning Commission.

RYAN S. REYNOLDS, R.P.L.S.
Texas Registered Professional Land Surveyor No. 6385.

Before me, the undersigned authority, a Notary Public in and for the 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/she executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this day of, 20	
Notary public for and in the State of Texas	

Owner/Applicant:
Silo Mills Investement V, LLC
202 Clariden Ranch Road
Southlake, Texas 76092
Phone: -214-577-1431
Contact: Bret Pedigo

Johnson Volk Consulting, Inc.
704 Central Parkway East, Suite 1200
Plano, Texas 75074
Phone: 972-201-3102
Ryan.Renolds@johnsonvolk.com
TBPELS FIRM NO. 10194033

Engineer/Surveyor:

Johnson County recording information:

Plat Filed ______, 20 _____.

Slide _____, Vol., _____ Pg. _____

Johnson County Plat Records

By: _____

County Clerk

FINAL PLAT SILO MILLS PHASE 1C.2

LOT 2X, BLOCK 1; LOTS 6-9, BLOCK 2

LOTS 1-8, 18X & 20-39, BLOCK W
LOTS 1-4, 5X & 6-18, BLOCK X
LOTS 1-10, BLOCK Z
LOTS 1-2, 3X & 4-5, BLOCK CC
63 SINGLE FAMILY LOTS &
4 OPEN SPACE LOTS
22.900 ACRES
OUT OF THE
A.J. TUCKER SURVEY, ABSTRACT NO. 833
CITY OF CLEBURNE ETJ,
CITY OF BURLESON ETJ,
JOHNSON COUNTY, TEXAS
PROPOSED ZONING: PD

28 December 2022 SHEET 2 OF 2



j:\civil 3d projects\silo mills\smi501 - silo mills - phase 1c\jvc plans\dwg\sheets\final plat\smi501 ph1c.2 - final plan

cap stamped "JVC" set for corner;



Planning & Zoning Commission Meeting

DEPARTMENT: Development Services

FROM: Lidon Pearce, Senior Planner

MEETING: January 31, 2023

SUBJECT:

500 CR 1021 (Case 22-164): Hold a public hearing and consider an ordinance for a zoning change request from "A", Agriculture to "SFE" Single-family estate district. *(Staff Presenter: Lidon Pearce, Senior Planner)*

SUMMARY:

On December 12, 2022, an application for a zoning change request was submitted by Carter Mahanay (owner) for a zoning change request of approximately 2.9 acres for single-family estate district.

Development Overview:

The property is currently zoned A, Agriculture and has several unoccupied structures that will be removed when the property is redeveloped. A metal shop/garage (non-commercial) will remain on the property as an accessory, non-dwelling structure. The applicant has requested to rezone the property to SFE, Single-family estate district, to develop the property for a residential use. SFE zoning requires a minimum lot size of one acre.

Zoning and Land Use Table

	Zoning	Use
Subject Site	A, Agriculture	Vacant residential structures
North	A, Agriculture	Residential
East	A, Agriculture	Residential
South	PD, Planned Development	Residential
West	A, Agriculture	Residential

This site is designated in the Comprehensive Plan as Neighborhoods.

This land use category is intended for predominantly traditional single-family residential developments, but does allows for a mix of densities, lot sizes, housing stock, and styles as appropriate.

Staff supports a zoning change request to "SFE" Single-family estate district based on the adjacent uses and lot sizes, as well as conformance with the Comprehensive Plan.

Engineering:

Development of the land will require platting and engineering reviews.

OPTIONS:

- Recommend approval of an ordinance for a zoning change request to "SFE" Singlefamily estate district; or
- Recommend approval of an ordinance for a zoning change request to an alternative zoning district; or
- 3) Recommend denial of the ordinance for a zoning change request;

RECOMMENDATION:

Recommend to City Council approval of an ordinance for a zoning change to "SFE" Single-family estate district (Case 22-164).

FISCAL IMPACT:

None.

STAFF CONTACT:

Lidon Pearce Senior Planner <u>lpearce@burlesontx.com</u> 817-426-9649

ZC - 500 CR 1021

Location:

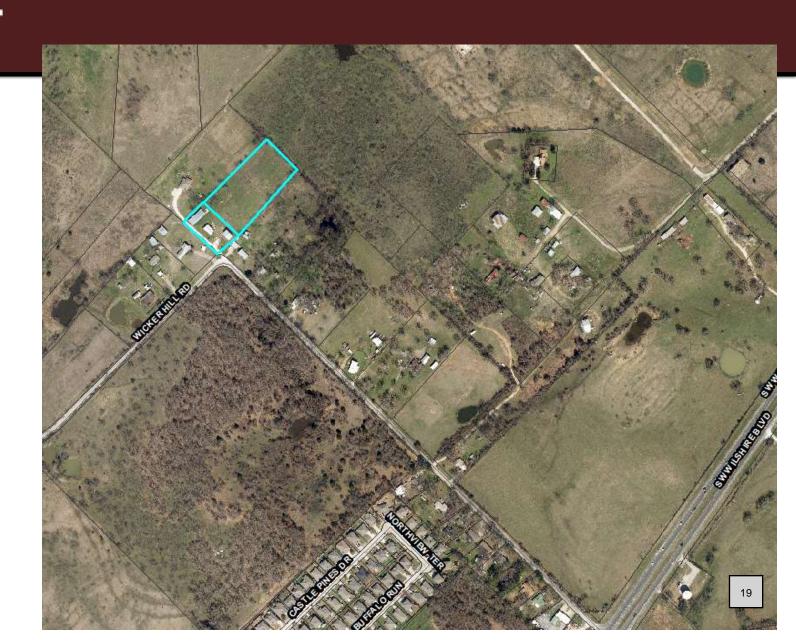
- 500 CR 1021
- 2.9 acres

Applicant:

Carter Mahanay Property Owner

Item for approval:

Zoning Change from "A" Agriculture to "SFE" Singlefamily estate district (Case22-164)



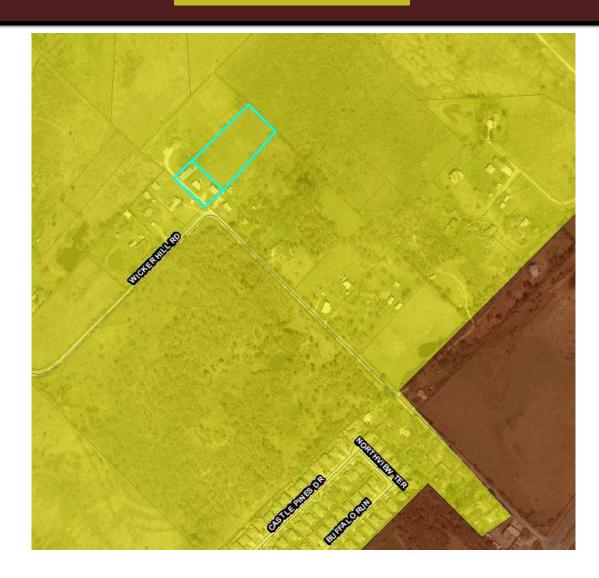
Comprehensive Plan

Neighborhoods

Zoning

A, Agriculture







Item A.

ZC – 500 CR 1021

Applicant intends to remove the existing dwelling structure and barn on the site. Existing workshop will remain when the site is redeveloped with a single-family dwelling. New dwelling will conform to current adopted building codes and permitting process.

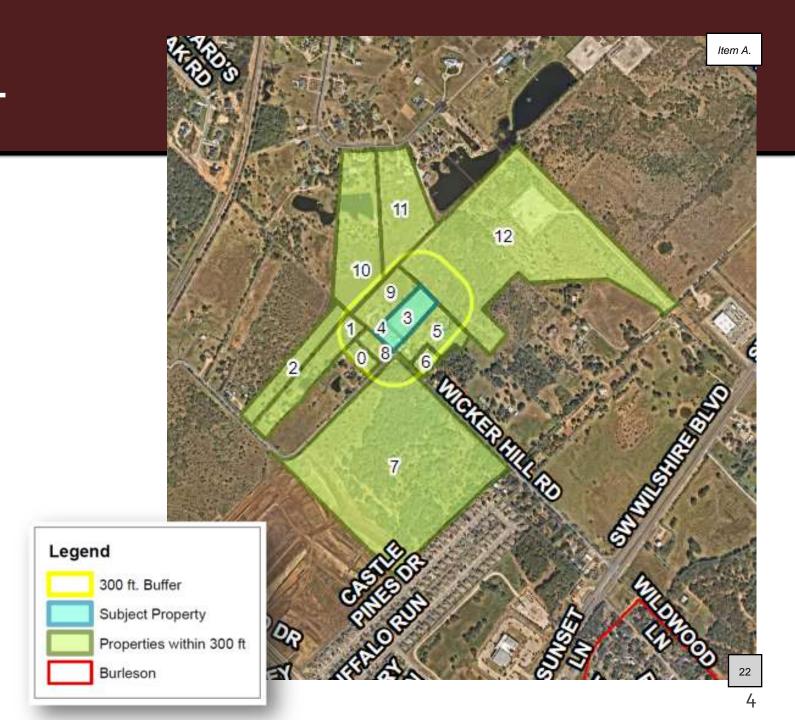


ZC – 500 CR 1021

Public Hearing notices were mailed to property owners within 300 feet of subject property

Published in newspaper

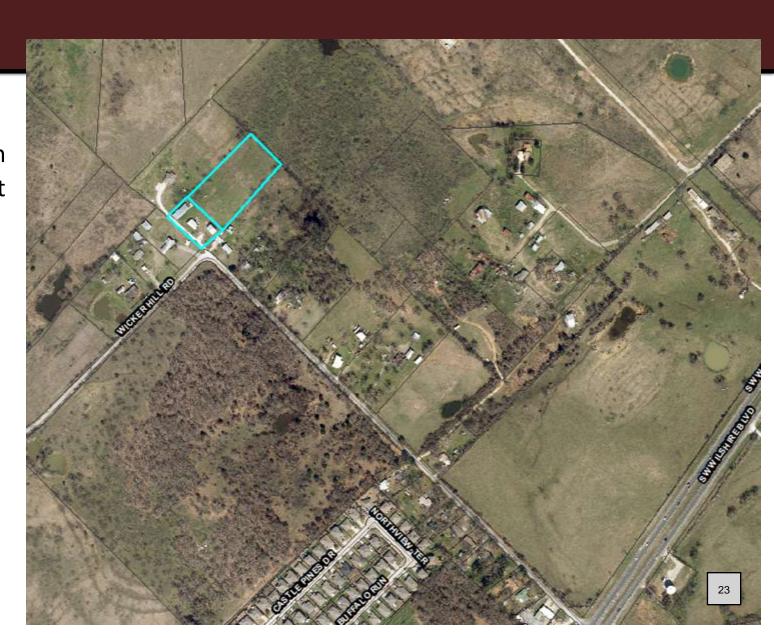
Signs Posted on the property



ZC – 500 CR 1021

Staff's Recommendation

- Staff recommends approval of an ordinance for the zoning change request to "SFE" Single-family estate district
- Conformance with the Comprehensive Plan; and
- Compatibility with adjacent uses and lot sizes.



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 2.9 ACRES OF LAND LOCATED IN THE H.G. CATLETT SURVEY ABST NO. 179, DEED RECORDS, JOHNSON COUNTY, TEXAS (D.R.J.C.T.), FROM AGRICULTRE (A) TO SINGLE-FAMILY ESTATE DISTRICT (SFE); 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 <u>Carter Mahanay (property owner)</u> on <u>December 12, 2022</u>, under <u>Case Number 22-164</u>, 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 <u>7 to 0</u> to recommend to the City Council of Burleson, Texas, that the hereinafter described property be rezoned from its classification of <u>Agriculture (A)</u> to **Single-Family Estate District (SFE)**; 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 **Agriculture (A)**; 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 **2.9 acres of land located in the H.G. Catlett Survey, Abstract No. 179, deed records, Johnson County, Texas (D.R.J.C.T.)**, as shown on the attached Exhibit A incorporated herein by reference, by changing the zoning of said property from **Agriculture (A)** to **Single-Family Estate District (SFE)**.

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

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iter	"	м.

ATTEST:	APPROVED AS TO FORM:		
Amanda Campos, City Secretary	E. Allen Taylor, Jr., City Attorney		

EXHIBIT "A"

BEING A 2.9 ACRE TRACT OF LAND SITUATED OUT OF THE H. G. CATLETT SURVEY, ABSTRACT No. 179, JOHNSON COUNTY, TEXAS AND BEING DESCRIBED IN DEED TO DERON M. MEEHAN RECORDED IN VOLUME 4246, PAGE 11, DEED RECORDS, JOHNSON COUNTY, TEXAS AND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

COMMENCING AT A 5/8" IRON ROD FOUND IN THE NORTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD No. 1021 AND BEING THE MOST SOUTHERLY CORNER OF A INGRESS & EGRESS EASEMENT RECORDED IN VOLUME 4246, PAGE 11, DEED RECORDS, JOHNSON COUNTY, TEXAS;

THENCE NORTH 48 DEGREES 14 MINUTES 22 SECONDS WEST (PER DEED NORTH 48 DEGREES 23 MINUTES 00 SECONDS WEST) DEPARTING FROM THE NORTHERLY RIGHT-OF-WAY LINE OF SAID COUNTY ROAD No. 1021, PASSING A 1/2" IRON ROD WITH A RECER-FOX CAP AT 16.33 FEET, IN TOTAL A DISTANCE OF 247.65 FEET (PER DEED A DISTANCE OF 247.30 FEET) TO A 1/2" IRON ROD FOUND FOR A POINT FOR THE MOST WESTERLY CORNER OF SAID INGRESS & EGRESS EASEMENT. SAID IRON ROD BEING IN THE NORTHEASTERLY COMMON LINE DEED TO BRIAN S. SMITHSON RECORDED IN INSTRUMENT No. 2020-7585, DEED RECORDS, JOHNSON COUNTY, TEXAS AND BEING THE MOST SOUTHERLY CORNER DEED TO GEORGE WILLIAMS ETUX NITA WILLIAMS RECORDED IN VOLUME 3502, PAGE 257, DEED RECORDS, JOHNSON COUNTY, TEXAS;

THENCE NORTH 45 DEGREES 54 MINUTES 51 SECONDS EAST (PER DEED NORTH 45 DEGREES 36 MINUTES 00 SECONDS EAST) ALONG THE COMMON LINE OF SAID INGRESS & EGRESS EASEMENT AND SAID WILLIAMS TRACT A DISTANCE OF 18.63 FEET (PER DEED A DISTANCE OF 18.00 FEET) TO AN "X" CUT IN CONCRETE AND BEING THE POINT OF BEGINNING AND THE MOST WESTERLY CORNER OF HEREIN DESCRIBED TRACT DESCRIBED IN DEED TO DERON M. MEEHAN RECORDED IN VOLUME 4246, PAGE 11, DEED RECORDS, JOHNSON COUNTY, TEXAS. SAID "X" CUT BEING THE MOST NORTHERLY CORNER OF SAID INGRESS & EGREES EASEMENT;

THENCE NORTH 45 DEGREES 54 MINUTES 51 SECONDS EAST (PER DEED NORTH 45 DEGREES 52 MINUTES 55 SECONDS EAST) ALONG THE COMMON LINE OF SAID MEEHAN TRACT AND SAID WILLIAMS TRACT A DISTANCE OF 559.22 FEET (PER DEED A DISTANCE OF 556.89 FEET) TO A 3" METAL FENCE POST FOR THE MOST NORTHERLY CORNER OF HEREIN DESCRIBED TRACT. SAID FENCE POST BEING THE MOST EASTERLY CORNER DEED TO SAID WILLIAMS TRACT AND BEING IN THE COMMON LINE DEED TO ROBERT N. BRANSOM RECORDED IN INSTRUMENT No. 2011-16721, DEED RECORDS, JOHNSON COUNTY, TEXAS;

THENCE SOUTH 45 DEGREES 12 MINUTES 53 SECONDS EAST (PER DEED SOUTH 46 DEGREES 09 MINUTES 59 SECONDS EAST) ALONG THE COMMON LINE OF SAID MEEHAN TRACT AND SAID BRANSOM TRACT A DISTANCE OF 206.73 FEET (PER DEED A DISTANCE OF 206.42 FEET) TO A 3" METAL FENCE POST FOR THE MOST EASTERLY CORNER OF HEREIN DESCRIBED TRACT. SAID

FENCE POST BEING THE MOST NORTHERLY CORNER DEED TO JULIA D. BULLARD RECORDED IN VOLUME 1545, PAGE 832, DEED RECORDS, JOHNSON COUNTY, TEXAS;

THENCE SOUTH 41 DEGREES 49 MINUTES 35 SECONDS WEST (PER DEED SOUTH 41 DEGREES 45 MINUTES 00 SECONDS WEST) ALONG THE COMMON LINE OF SAID MEEHAN TRACT AND SAID BULLARD TRACT A DISTANCE OF 547.73 FEET TO A 5/8" CAPPED IRON ROD SET FOR THE MOST SOUTHERLY CORNER OF HEREIN DESCRIBED TRACT. SAID CAPPED IRON ROD SET BEING THE MOST WESTERLY CORNER DEED TO SAID BULLARD TRACT AND BEING THE MOST EASTERLY CORNER OF SAID INGRESS & EGRESS EASEMENT;

THENCE NORTH 48 DEGREES 14 MINUTES 22 SECONDS WEST (PER DEED NORTH 48 DEGREES 23 MINUTES 00 SECONDS WEST) ALONG THE COMMON LINE OF SAID MEEHAN TRACT AND SAID INGRESS & EGREES EASEMENT A DISTANCE OF 246.32 FEET (PER DEED A DISTANCE OF 246.09 FEET) TO THE POINT OF BEGINNING AND CONTAINING A TOTAL OF 125,250.9SQUARE FEET OR 2.9 ACRES MORE OR LESS.

BEING A 0.1 ACRE TRACT OF LAND SITUATED OUT OF THE H. G. CATLETT SURVEY, ABSTRACT No. 179, JOHNSON COUNTY, TEXAS AND BEING DESCRIBED IN DEED TO DERON M. MEEHAN RECORDED IN VOLUME 4246, PAGE 11, DEED RECORDS, JOHNSON COUNTY, TEXAS AND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD FOUND IN THE NORTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD No. 1021 AND BEING THE MOST SOUTHERLY CORNER OF A INGRESS & EGRESS EASEMENT RECORDED IN VOLUME 4246, PAGE 11, DEED RECORDS, JOHNSON COUNTY, TEXAS;

THENCE NORTH 48 DEGREES 14 MINUTES 22 SECONDS WEST (PER DEED NORTH 48 DEGREES 23 MINUTES 00 SECONDS WEST) DEPARTING FROM THE NORTHERLY RIGHT-OF-WAY LINE OF SAID COUNTY ROAD No. 1021, PASSING A 1/2" IRON ROD WITH A RECER-FOX CAP AT 16.33 FEET, IN TOTAL A DISTANCE OF 247.65 FEET (PER DEED A DISTANCE OF 247.30 FEET) TO A 1/2" IRON ROD FOUND FOR A POINT FOR THE MOST WESTERLY CORNER OF SAID INGRESS & EGRESS EASEMENT. SAID IRON ROD BEING IN THE NORTHEASTERLY COMMON LINE DEED TO BRIAN S. SMITHSON RECORDED IN INSTRUMENT No. 2020-7585, DEED RECORDS, JOHNSON COUNTY, TEXAS AND BEING THE MOST SOUTHERLY CORNER DEED TO GEORGE WILLIAMS ETUX NITA WILLIAMS RECORDED IN VOLUME 3502, PAGE 257, DEED RECORDS, JOHNSON COUNTY, TEXAS;

THENCE NORTH 45 DEGREES 54 MINUTES 51 SECONDS EAST (PER DEED NORTH 45 DEGREES 36 MINUTES 00 SECONDS EAST) ALONG THE COMMON LINE OF SAID INGRESS & EGRESS EASEMENT AND SAID WILLIAMS TRACT A DISTANCE OF 18.63 FEET (PER DEED A DISTANCE OF 18.00 FEET) TO AN "X" CUT IN CONCRETE AND BEING THE MOST NORTHERLY CORNER OF HEREIN DESCRIBED TRACT. SAID "X" CUT BEING THE MOST WESTERLY CORNER DEED TO DERON M. MEEHAN RECORDED IN VOLUME 4246, PAGE 11, DEED RECORDS, JOHNSON COUNTY, TEXAS;

THENCE SOUTH 48 DEGREES 02 MINUTES 01 SECONDS EAST (PER DEED SOUTH 48 DEGREES 23 MINUTES 00 SECONDS EAST) ALONG THE COMMON LINE OF SAID INGRESS & EGREES EASEMENT AND SAID MEEHAN TRACT A DSITANCE OF 246.32 FEET (PER DEED A DISTANCE OF 246.09 FEET) TO A 5/8" CAPPED IRON ROD SET FOR THE MOST EASTERLY CORNER OF HEREIN DESCRIBED TRACT. SAID CAPPED IRON ROD SET BEING IN THE MOST NORTHWESTERLY COMMON LINE DEED TO JULIA D. BULLARD RECORDED IN VOLUME 1545, PAGE 832, DEED RECORDS, JOHNSON COUNTY, TEXAS;

THENCE SOUTH 41 DEGREES 49 MINUTES 35 SECONDS WEST (PER DEED SOUTH 41 DEGREES 45 MINUTES 00 SECONDS WEST) ALONG THE COMMON LINE OF SAID EASEMENT AND SAID BULLARD TRACT A DISATNCE OF 17.69 FEET (PER DEED A DISTANCE OF 18.00 FEET TO THE POINT OF BEGINNING AND CONTAINING A TOTAL OF 4,479.9SQUARE FEET OR 0.1 ACRES MORE OR LESS.