
Tuesday, November 12, 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 October 15, 2024 Planning & Zoning Commission meeting.
- B.** Mountain Valley Lake, Tract B (Case 24-040): Consider approval of a final plat of Mountain Valley Lake, Tract B, addressed as 399 Clubhouse Dive. (Staff Contact: Lidon Pearce, Principal Planner)
- C.** Davenport Mitchell Addition (Case 24-162): Consider approval of a final plat for Davenport Mitchell Addition, Lots 1, 2, and 3 Block A; addressed as 215 NE Wilshire BLVD. (Staff Contact: Emilio Sanchez, Development Services Assistant Director)

- D. Gene Harris Addition (Case 24-275): Consider approval of a final plat of Gene Harris Addition, Lot 1, Block 1, addressed as 627 SW Wilshire. (Staff Contact: Lidon Pearce, Principal Planner)

4. **PUBLIC HEARING**

- A. 5933 FM 1902 (Case 24-297): Hold a public hearing and consider a recommendation of approval for an ordinance for a zoning change request from "A", Agriculture to "GR" General Retail. (Staff Contact: Lidon Pearce, Principal Planner)
- B. 2152 SW Wilshire (Case 23-370): Hold a public hearing and consider a recommendation of disapproval for an ordinance for a zoning change request from "A", Agriculture to "PD" Planned Development for Urban Wilshire Village; a townhome and retail development. (Staff Contact: Lidon Pearce, Principal Planner)
- C. 2420 County Road 913 (Case 24-316): Hold a public hearing and consider a recommendation of approval for an ordinance for a zoning change request from "A" Agriculture to "SFE" Single-family estate district. (Staff Contact: Emilio Sanchez, Development Services Assistant Director)

5. **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**

6. **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 6th of November 2024, by 5:00 p.m., on the official bulletin board at the Bureson City Hall, 141 W. Renfro, Bureson, 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: November 12, 2024

SUBJECT:

Approve the minutes from October 15, 2024 Regular Session of the Planning & Zoning Commission meeting.

SUMMARY:

Minutes from the October 15, 2024 Regular Session of the Planning & Zoning Commission meeting.

OPTIONS:

Approve as presented

RECOMMENDATION:

Approve the minutes from the October 15, 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

October 15, 2024
MINUTES

Roll Call

Commissioners Present

David Hadley
Cobi Tittle
Ashley Brookman
Bill Janusch
Michael Tune (Chair)
Clint Faram
Michael Kurmes
Bobby Reading
Brandon Crisp

Commissioners Absent

Dan Taylor

Staff

Matt Ribitzki, City Attorney
Emilio Sanchez, Assistant Director Development Services
Peggy Fisher, Administrative Assistant

REGULAR SESSION

1. Call to Order – 6:00 PM

Invocation – David Hadley

Pledge of Allegiance

Texas Pledge

2. Citizen Appearance

None

3. Consent Agenda

- A.** Consider approval of the minutes from October 15, 2024 Planning and Zoning Regular Commission meeting. (Staff Contact: Tony McIlwain, Director Development Services).

- B. Burleson Storage Expansion Addition (Case 24-175): Consider approval of a final plat of Burleson Storage Expansion Addition, Lots 1 and 2; Block 1 addressed as 2121 S Burleson Blvd. *(Staff Contact: Lidon Pearce, Principal Planner)*
- C. Riley Apartments Addition (Case 24-255): Consider approval of a Replat for Riley Apartments Addition, Lot 1, Block A; addressed as 480 Commons Drive. *(Staff Contact: Emilio Sanchez, Development Services Assistant Director)*

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

Motion passed, 8-0. Commissioner Dan Taylor was absent.

4. Public Hearing

- A. 1709 County Road 913 (Case 24-274): Hold a public hearing and consider a recommendation of approval for an ordinance for a zoning change request from "A" Agriculture to "SFE" Single-family estate district. *(Staff Contact: Emilio Sanchez, Development Services Assistant Director)*

Emilio Sanchez presented the case to the Commission, reviewed the staff report, and answered questions from the Commission.

Commission Chairman Michael Tune opened the public hearing at 6:04 p.m.

Commission Chairman Michael Tune closed the public hearing at 6:04 p.m.

Motion made by Commissioner David Hadley and second by Commissioner Michael Kurmes to approve.

Motion passed, 8-0. Commissioner Dan Taylor was absent.

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 – 6:05PM

Peggy Fisher
Administrative Assistant
Recording Secretary

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services
FROM: Lidon Pearce, Principal Planner
MEETING: November 12, 2024

SUBJECT:

Mountain Valley Lake, Tract B (Case 24-040): Consider approval of a final plat of Mountain Valley Lake, Tract B, addressed as 399 Clubhouse Dive. (*Staff Contact: Lidon Pearce, Principal Planner*)

SUMMARY:

On February 5, 2024, an application for a final plat was submitted by Andrea Taylor with MMA, Inc. on behalf of Peter Lai of Impression Homes (owners) for a final plat of approximately 65.018 acres. The property is being platted for the purpose of developing approximately 123 residential lots within Tract B, of the Mountain Valley Lake subdivision.

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

RECOMMENDATION:

Approve the final plat for Mountain Valley Lake; Tract B.

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

N/A

REFERENCE:

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

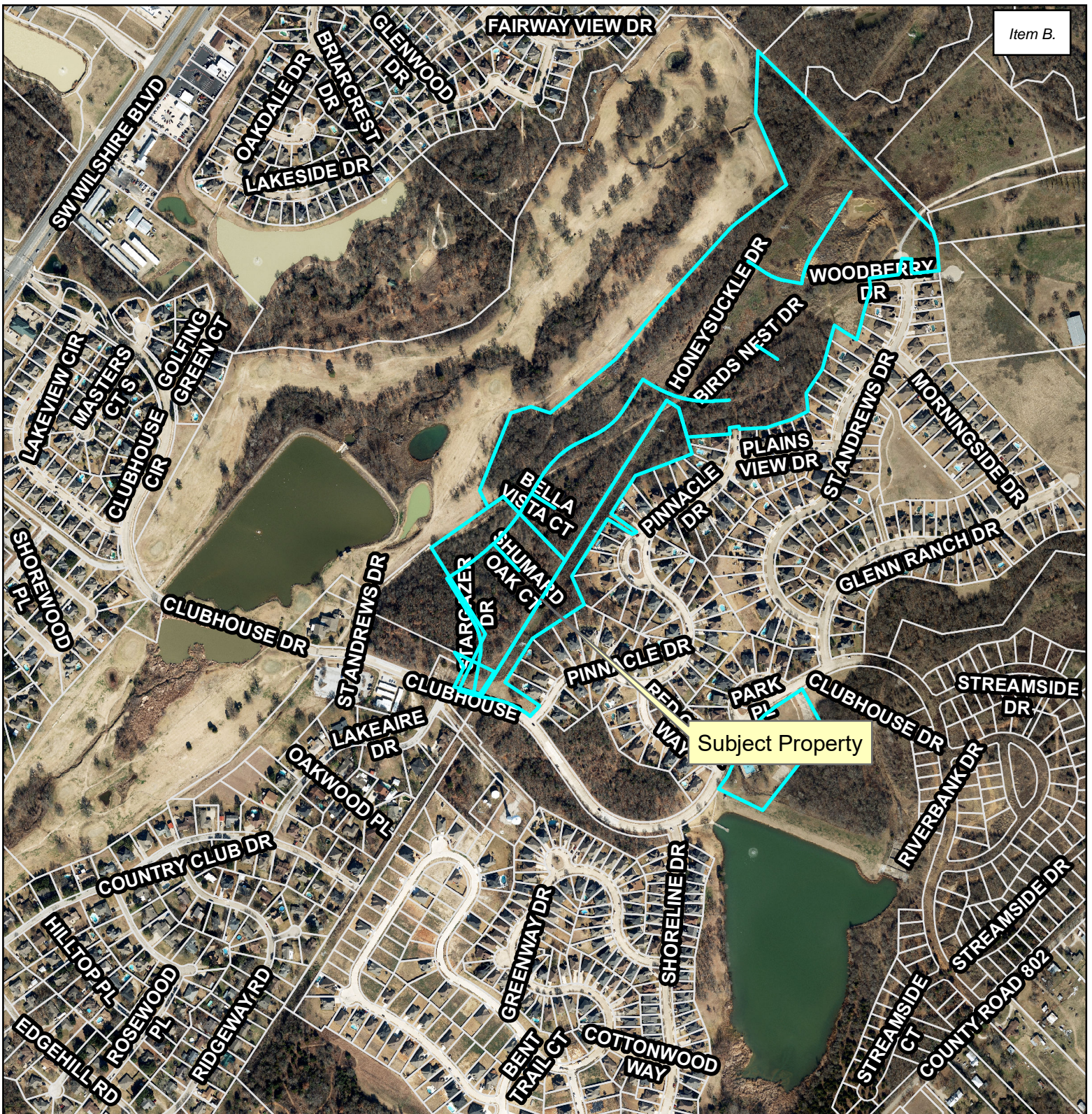
FISCAL IMPACT:

None

STAFF CONTACT:

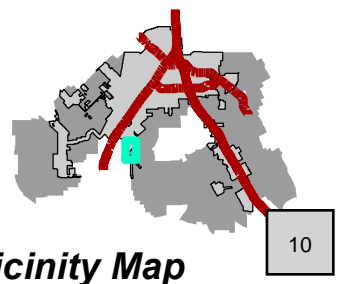
Lidon Pearce, CNU-A, AICP
Principal Planner
lpearce@burlesontx.com

817-426-9649



THE CITY OF
BURLESON
TEXAS

**Final Plat
Tract B
Mountain Valley Lake
Case 24-040**



Vicinity Map

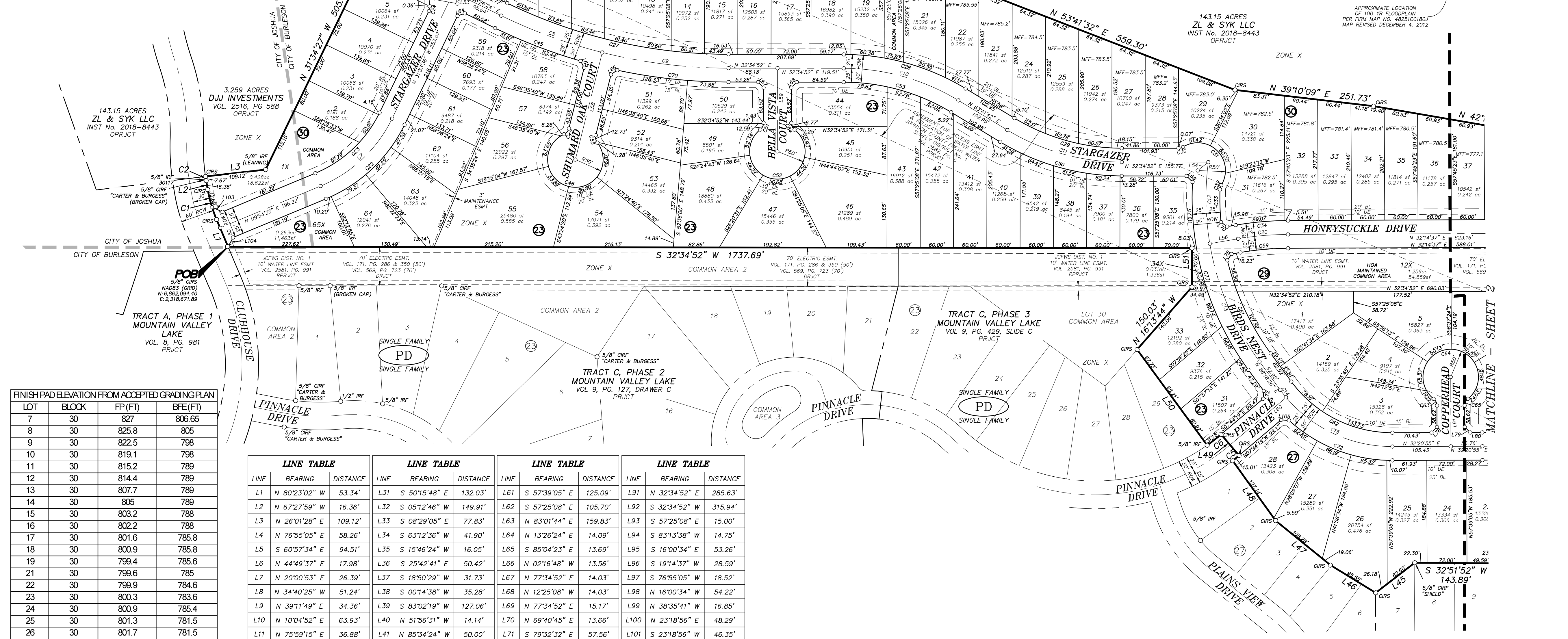
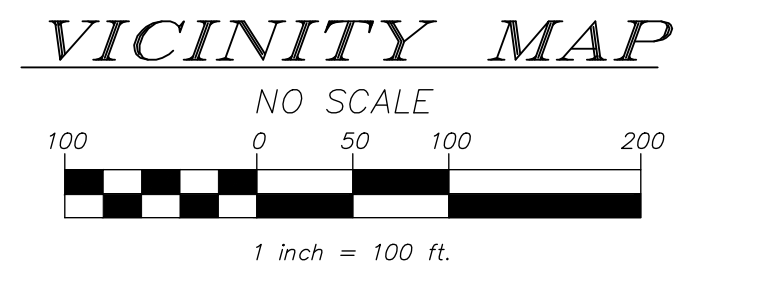
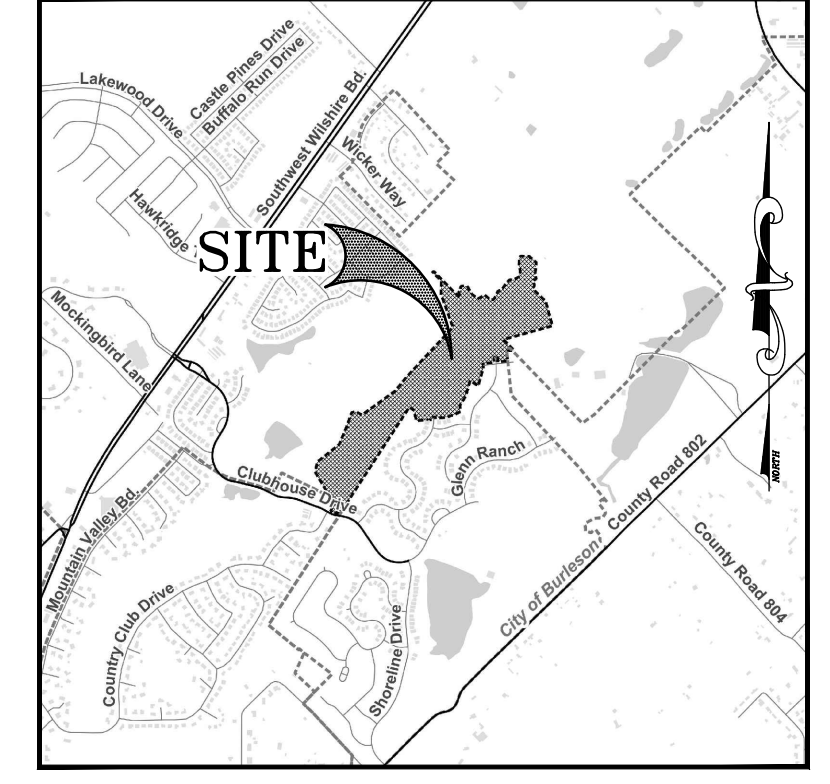
RIGHT-OF-WAY DEDICATION TABLE

PRE DIRECTION	STREET NAME	STREET TYPE/SUFFIX	ROW (ACRES)
	STARGAZER DRIVE	DRIVE	2.383
	SHUMARD OAK COURT	COURT	0.328
	BELLA VISTA COURT	COURT	0.271
	PINNACLE DRIVE	DRIVE	0.126
	HONEYSUCKLE DRIVE	DRIVE	1.116
	BIRDS NEST DRIVE	DRIVE	1.979
	COPPERHEAD COURT	COURT	0.243
	WOODBERRY DRIVE	DRIVE	0.648
	ST. ANDREWS DRIVE	DRIVE	0.524
			7.618

LAND USE TABLE

LAND USE	ACREAGE	SQUARE FEET	# OF LOTS
RIGHT-OF-WAY	7.618	333,957	N/A
RESIDENTIAL	34.085	1,482,546	123
PRIVATE OPEN SPACE	23.315	1,015,670	6
TOTAL	65.018	2,832,173	129

NOTE: THE RIGHT-OF-WAY DEDICATION IS GRANTED IN FEE SIMPLE TO THE CITY OF BURLESON FOR USE AS STORM WATER, PUBLIC UTILITY, PEDESTRIAN, OR OTHER PUBLIC PURPOSES.

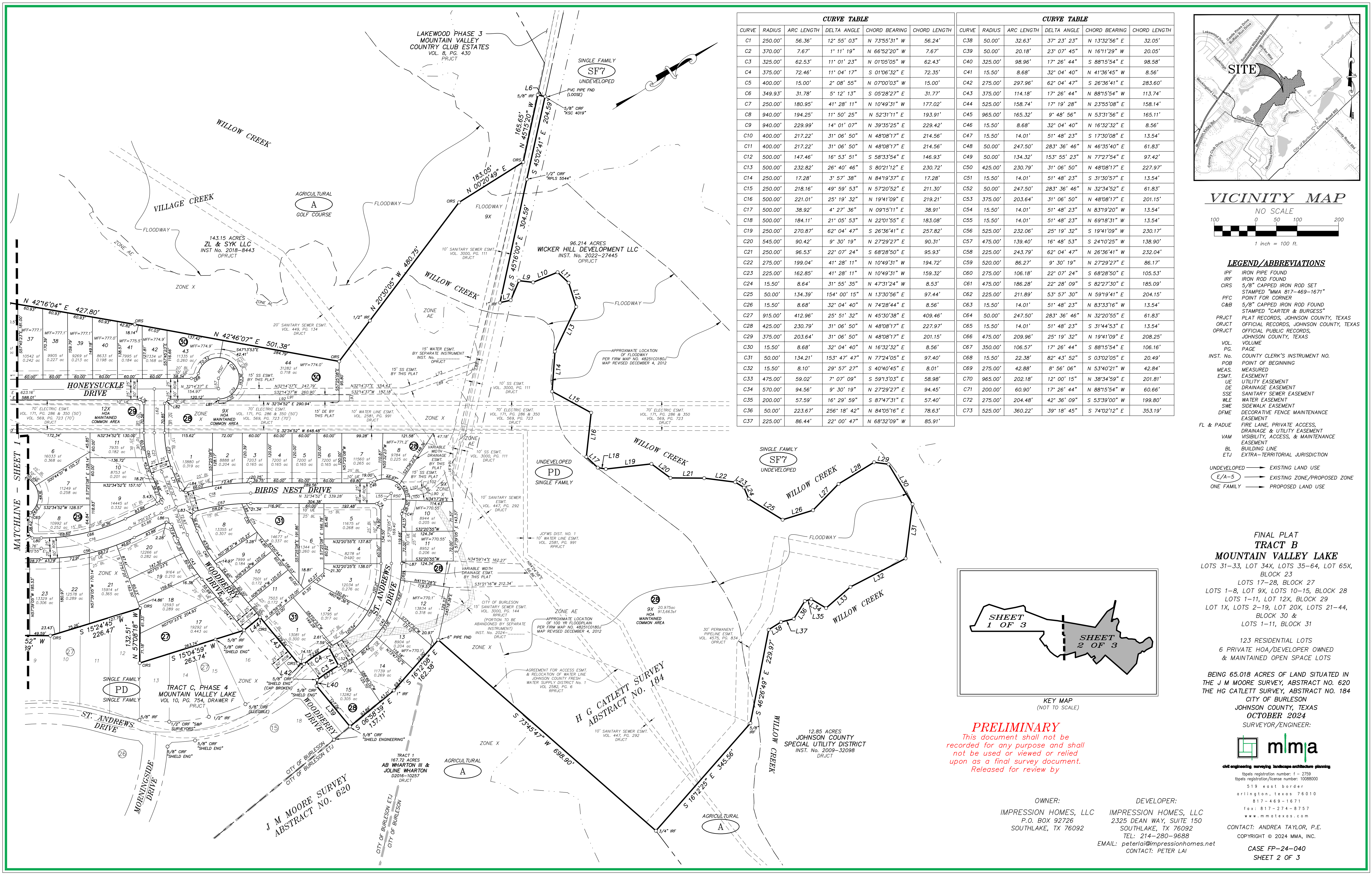


FINISH PAD ELEVATION FROM ACCEPTED GRADING PLAN

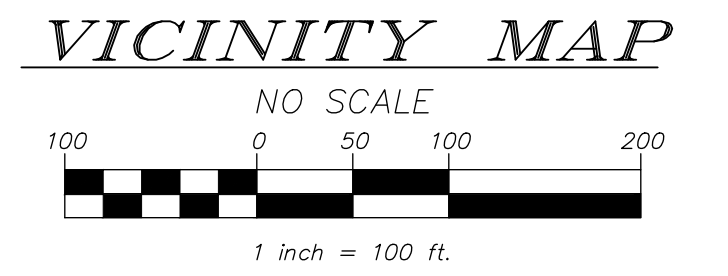
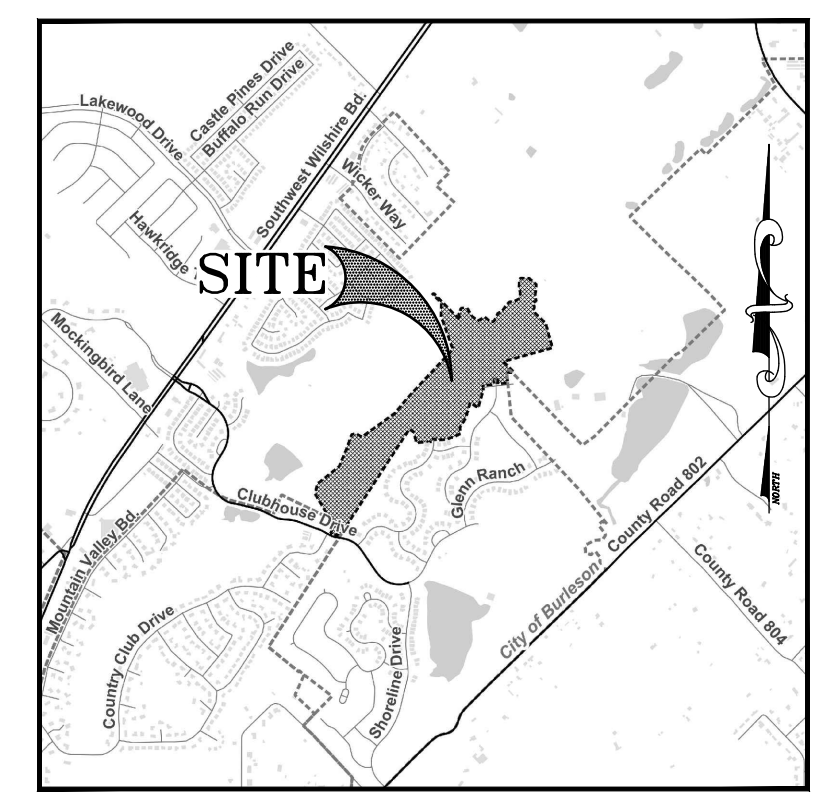
LOT	BLOCK	FP (FT)	BFF (FT)
7	30	827	806.65
8	30	825.8	805
9	30	822.5	798
10	30	819.1	798
11	30	815.2	789
12	30	814.4	789
13	30	807.7	789
14	30	805	789
15	30	803.2	788
16	30	802.2	788
17	30	801.6	785.8
18	30	800.9	785.8
19	30	799.4	785.6
20	30	799.6	785
21	30	799.9	784.6
22	30	800.3	783.6
23	30	800.9	785.4
24	30	801.3	781.5
25	30	801.7	781.5
26	30	802	781.2
27	30	802.4	781
28	30	801.3	780.5
29	30	800.1	780.5
30	30	795	779
31	30	793.2	779
32	30	791.4	779
33	30	789.7	779
34	30	786.1	779
35	30	784.7	769.1
36	30	784.4	769.1
37	30	782.6	769.1
38	30	781.3	775
39	30	781.1	772.9
40	30	780.9	772.9
41	30	776.3	772
42	30	776.4	769.2
43	28	775.9	768.55
44	28	775.9	768.55
45	28	775.8	768.1
46	28	776.4	769.2
47	28	776.4	769.2
48	28	776.4	769.2
49	28	776.4	769.2
50	28	776.4	769.2
51	28	776.4	769.2
52	28	776.4	769.2
53	28	776.4	769.2
54	28	776.4	769.2
55	28	776.4	769.2
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65	28	776.4	769.2
66	28	776.4	769.2
67	28	776.4	769.2
68	28	776.4	769.2
69	28	776.4	769.2
70	28	776.4	769.2
71	28	776.4	769.2
72	28	776.4	769.2
73	28	776.4	769.2
74	28	776.4	769.2
75	28	776.4	769.2
76	28	776.4	769.2
77	28	776.4	769.2
78	28	776.4	769.2
79	28	776.4	769.2
80	28	776.4	769.2
81	28	776.4	769.2
82	28	776.4	769.2
83	28	776.4	769.2
84	28	776.4	769.2
85	28	776.4	769.2
86	28	776.4	769.2
87	28	776.4	769.2
88	28	776.4	769.2
89	28	776.4	769.2
90	28	776.4	769.2
91	28	776.4	769.2
92	28	776.4	769.2
93	28	776.4	769.2
94	28	776.4	769.2
95	28	776.4	769.2
96	28	776.4	769.2
97	28	776.4	769.2
98	28	776.4	769.2
99	28	776.4	769.2
100	28	776.4	769.2

LINE TABLE

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	N 80°23'02" W	53.34'	L31	S 50°15'48" E	132.03'	L61	S 57°39'05" E	125.09'	L91	N 32°34'52" E	285.63'
L2	N 67°27'59" W	16.36'	L32	S 05°12'46" W	149.91'	L62	S 57°25'08" E	105.70'	L92	S 32°34'52" W	315.94'
L3	N 26°01'28" E	109.12'	L33	S 08°29'05" E	77.83'	L63	N 83°01'44" E	159.83'	L93	S 57°25'08" E	15.00'
L4	N 76°55'05" E	58.26'	L34	S 63°12'36" W	41.90'	L64	N 13°26'24" E	14.09'	L94	S 83°13'38" W	14.75'
L5	S 60°57'34" E	94.51'	L35	S 15°46'24" W	16.05'	L65	S 85°04'23" E	13.69'	L95	S 16°00'34" E	53.26'
L6	N 44°49'37" E	17.98'	L36	S 25°42'41" E	50.42'	L66	N 02°16'48" W	13.56'	L96	S 19°14'37" W	28.59'
L7	N 20°00'53" E	26.39'	L37	S 18°50'29" W	31.73'	L67	N 77°34'52" E	14.03'	L97	S 76°55'05" W	18.52'
L8	N 34°40'25" W	51.24'	L38	S 00°14'38" W	35.28'	L68	N 12°25'08" W	14.03'	L98	N 16°00'34" W	54.22'
L9	N 39°11'49" E	34.36'	L39	S 83°02'19" W	127.06'	L69	N 77°34'52" E	15.17'	L99	N 38°35'41" W	16.85'
L10	N 10°04'52" E	63.93'	L40	N 51°56'31" W	14.14'	L70	N 69°40'45" E	13.66'	L100	N 23°18'56" E	48.29'
L11	N 75°59'15" E	36.88'	L41	N 85°34'24" W	50.00'	L71	S 79°32'32" E	57.56'	L101	S 23°18'56" W	46.35'
L12	S 74°45'48" E	60.83'	L42	S 38°03'18" W	14.15'	L72	S 52°49'28" E	14.12'	L102	S 08°21'24" E	4.38'
L13	S 32°08'36" E	119.33'	L43	S 83°02'19" W	144.85'	L73	N 12°50'13" E	186.74'	L103	N 56°37'17" E	20.57'
L14	S 53°21'14" E	96.79'	L44	S 06°57'42" E	50.00'	L74	S 77°27'54" W	14.17'	L104	N 28°53'28" W	19.17'
L15	N 61°03'30" E	107.40'	L45	S 05°05'38" E	88.79'	L75	N 23°56'28" W	13.70'	L105	S 36°03'57" W	14.43'
L16	S 51°16'13" E	107.20'	L46	S 63°59'32" W	95.55'	L76	N 77°24'44" E	14.10'			
L17	N 75°48'42" E	37.84'	L47	S 71°32'17" W	127.34'	L77	S 36°15'35" E	14.56'			
L18	N 42°24'29" E										

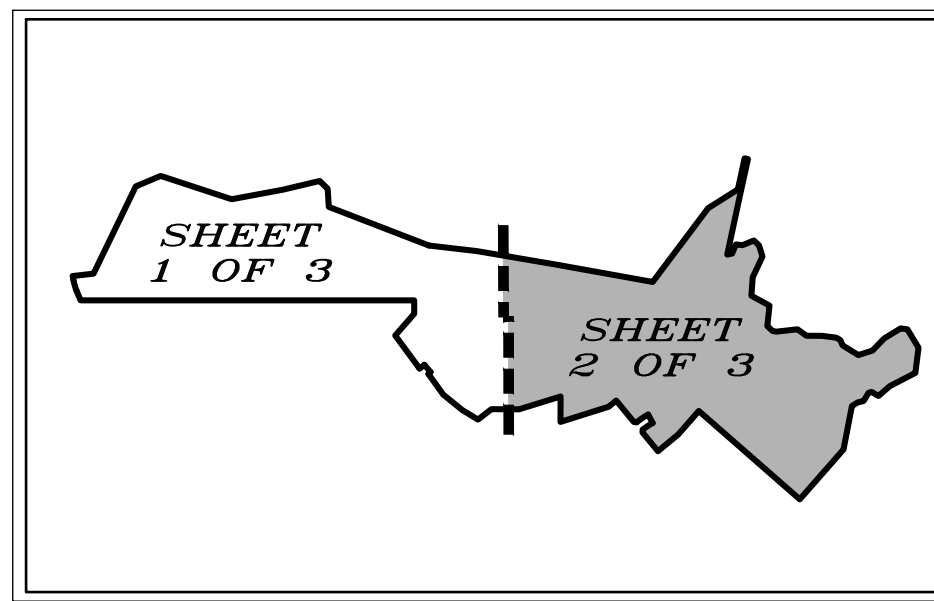


CURVE TABLE					CURVE TABLE						
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH	CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	250.00'	56.36'	12° 55' 03"	N 73°55'31" W	56.24'	C38	50.00'	32.63'	37° 23' 23"	N 13°32'56" E	32.05'
C2	370.00'	7.67'	1° 11' 19"	N 66°52'20" W	7.67'	C39	50.00'	20.18'	23° 07' 45"	N 16°11'29" W	20.05'
C3	325.00'	62.53'	11° 01' 23"	N 01°05'05" W	62.43'	C40	325.00'	98.96'	17° 26' 44"	S 88°15'54" E	98.58'
C4	375.00'	72.46'	11° 04' 17"	S 01°06'32" E	72.35'	C41	15.50'	8.68'	32° 04' 40"	N 41°36'45" W	8.56'
C5	400.00'	15.00'	2° 08' 55"	N 07°00'03" W	15.00'	C42	275.00'	297.96'	62° 04' 47"	S 26°36'41" E	283.60'
C6	349.93'	31.78'	5° 12' 13"	S 05°28'27" E	31.77'	C43	375.00'	114.18'	17° 26' 44"	N 88°15'54" W	113.74'
C7	250.00'	180.95'	41° 28' 11"	N 10°49'31" W	177.02'	C44	525.00'	158.74'	17° 19' 28"	N 23°55'08" E	158.14'
C8	940.00'	194.25'	11° 50' 25"	N 52°31'11" E	193.91'	C45	965.00'	165.32'	9° 48' 56"	N 53°31'56" E	165.11'
C9	940.00'	229.99'	14° 01' 07"	N 39°35'25" E	229.42'	C46	15.50'	8.68'	32° 04' 40"	N 16°32'32" E	8.56'
C10	400.00'	217.22'	31° 06' 50"	N 48°08'17" E	214.56'	C47	15.50'	14.01'	51° 48' 23"	S 17°30'08" E	13.54'
C11	400.00'	217.22'	31° 06' 50"	N 48°08'17" E	214.56'	C48	50.00'	247.50'	283° 36' 46"	N 46°35'40" E	61.83'
C12	500.00'	147.46'	14° 01' 07"	S 58°33'54" E	146.93'	C49	50.00'	134.32'	153° 55' 23"	N 77°27'54" E	97.42'
C13	500.00'	232.82'	26° 40' 46"	S 80°21'12" E	230.72'	C50	425.00'	230.79'	31° 06' 50"	N 48°08'17" E	227.97'
C14	250.00'	17.28'	3° 57' 38"	N 84°19'37" E	17.28'	C51	15.50'	14.01'	51° 48' 23"	S 13°30'57" E	13.54'
C15	250.00'	218.16'	49° 59' 53"	N 57°20'52" E	211.30'	C52	50.00'	247.50'	283° 36' 46"	N 32°34'52" E	61.83'
C16	500.00'	221.01'	25° 19' 32"	N 19°41'09" E	219.21'	C53	375.00'	203.64'	31° 06' 50"	N 48°08'17" E	201.15'
C17	500.00'	38.92'	4° 27' 36"	N 09°15'11" E	38.91'	C54	15.50'	14.01'	51° 48' 23"	N 83°19'20" W	13.54'
C18	500.00'	184.11'	21° 05' 53"	N 22°01'55" E	183.08'	C55	15.50'	14.01'	51° 48' 23"	N 69°18'31" W	13.54'
C19	250.00'	270.87'	62° 04' 47"	S 26°36'41" E	257.82'	C56	525.00'	232.06'	25° 19' 32"	S 19°41'09" W	230.17'
C20	545.00'	90.42'	9° 30' 19"	N 27°29'27" E	90.31'	C57	475.00'	139.40'	16° 48' 53"	S 24°10'25" W	138.90'
C21	250.00'	96.53'	22° 07' 24"	S 68°28'50" E	95.93'	C58	225.00'	243.79'	62° 04' 47"	N 26°36'41" W	232.04'
C22	275.00'	199.04'	41° 28' 11"	N 10°49'31" W	194.72'	C59	520.00'	86.27'	9° 30' 19"	N 27°29'27" E	86.17'
C23	225.00'	162.85'	41° 28' 11"	N 10°49'31" W	159.32'	C60	275.00'	106.18'	22° 07' 24"	S 68°28'50" E	105.53'
C24	15.50'	8.64'	31° 55' 35"	N 47°31'24" W	8.53'	C61	475.00'	186.28'	22° 28' 09"	S 82°27'30" E	185.09'
C25	50.00'	134.39'	154° 00' 15"	N 13°30'56" E	97.44'	C62	225.00'	211.89'	53° 57' 30"	N 59°19'41" E	204.15'
C26	15.50'	8.68'	32° 04' 40"	N 74°28'44" E	8.56'	C63	15.50'	14.01'	51° 48' 23"	N 83°33'16" W	13.54'
C27	915.00'	412.96'	25° 51' 32"	N 45°30'38" E	409.46'	C64	50.00'	247.50'	283° 36' 46"	N 32°20'55" E	61.83'
C28	425.00'	230.79'	31° 06' 50"	N 48°08'17" E	227.97'	C65	15.50'	14.01'	51° 48' 23"	S 31°44'53" E	13.54'
C29	375.00'	203.64'	31° 06' 50"	N 48°08'17" E	201.15'	C66	475.00'	209.96'	25° 19' 32"	N 19°41'09" E	208.25'
C30	15.50'	8.68'	32° 04' 40"	N 16°32'32" E	8.56'	C67	350.00'	106.57'	17° 26' 44"	S 88°15'54" E	106.16'
C31	50.00'	134.21'	153° 47' 47"	N 77°24'05" E	97.40'	C68	15.50'	22.38'	82° 43' 52"	S 03°02'05" E	20.49'
C32	15.50'	8.10'	29° 57' 27"	S 40°40'45" E	8.01'	C69	275.00'	42.88'	8° 56' 06"	N 53°40'21" W	42.84'
C33	475.00'	59.02'	7° 07' 09"	S 59°13'03" E	58.98'	C70	965.00'	202.18'	12° 00' 15"	N 38°34'59" E	201.81'
C34	570.00'	94.56'	9° 30' 19"	N 27°29'27" E	94.45'	C71	200.00'	60.90'	17° 26' 44"	N 88°15'54" W	60.66'
C35	200.00'	57.59'	16° 29' 59"	S 87°47'31" E	57.40'	C72	275.00'	204.48'	42° 36' 09"	S 53°39'00" W	199.80'
C36	50.00'	223.67'	256° 18' 42"	N 84°05'16" E	78.63'	C73	525.00'	360.22'	39° 18' 45"	S 74°02'12" E	353.19'
C37	225.00'	86.44'	22° 00' 47"	N 68°32'09" W	85.91'						



- LEGEND/ABBREVIATIONS**
- IPF IRON PIPE FOUND
 - IRF IRON ROD FOUND
 - CIRS 5/8" CAPPED IRON ROD SET
 - PPC POINT FOR CORNER
 - C&B 5/8" CAPPED IRON ROD FOUND
 - PRJCT PLAT RECORDS, JOHNSON COUNTY, TEXAS
 - ORJCT OFFICIAL RECORDS, JOHNSON COUNTY, TEXAS
 - OPRJCT OFFICIAL PUBLIC RECORDS, JOHNSON COUNTY, TEXAS
 - VOL VOLUME
 - PG PAGE
 - INST. No. COUNTY CLERK'S INSTRUMENT NO.
 - POB POINT OF BEGINNING
 - MEAS. MEASURED
 - ESMT. EASEMENT
 - UE UTILITY EASEMENT
 - DE DRAINAGE EASEMENT
 - SSE SANITARY SEWER EASEMENT
 - WLE WATER EASEMENT
 - SWE SIDEWALK EASEMENT
 - DFME DECORATIVE FENCE MAINTENANCE EASEMENT
 - FL & PADUE FIRE LANE, PRIVATE ACCESS, DRAINAGE & UTILITY EASEMENT
 - VAM VISIBILITY, ACCESS, & MAINTENANCE EASEMENT
 - BL BUILDING LINE
 - ETJ EXTRA-TERRITORIAL JURISDICTION
 - UNDEVELOPED → EXISTING LAND USE
 - E/A-5 → EXISTING ZONE/PROPOSED ZONE
 - ONE FAMILY → PROPOSED LAND USE

FINAL PLAT
TRACT B
MOUNTAIN VALLEY LAKE
 LOTS 31-33, LOT 34X, LOTS 35-64, LOT 65X, BLOCK 23
 LOTS 17-28, BLOCK 27
 LOTS 1-8, LOT 9X, LOTS 10-15, BLOCK 28
 LOTS 1-11, LOT 12X, BLOCK 29
 LOT 1X, LOTS 2-19, LOT 20X, LOTS 21-44, BLOCK 30 & LOTS 1-11, BLOCK 31
 123 RESIDENTIAL LOTS
 6 PRIVATE HOA/DEVELOPER OWNED & MAINTAINED OPEN SPACE LOTS
 BEING 65.018 ACRES OF LAND SITUATED IN THE J M MOORE SURVEY, ABSTRACT NO. 620 THE HG CATLETT SURVEY, ABSTRACT NO. 184 CITY OF BURLESON JOHNSON COUNTY, TEXAS
OCTOBER 2024
 SURVEYOR/ENGINEER:



KEY MAP (NOT TO SCALE)

PRELIMINARY
 This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.
 Released for review by

OWNER: IMPRESSION HOMES, LLC
 P.O. BOX 92726
 SOUTHLAKE, TX 76092

DEVELOPER: IMPRESSION HOMES, LLC
 2325 DEAN WAY, SUITE 150
 SOUTHLAKE, TX 76092
 TEL: 214-280-9688
 EMAIL: peter.lai@impressionhomes.net
 CONTACT: PETER LAI

CONTACT: ANDREA TAYLOR, P.E.
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 CASE FP-24-040
 SHEET 2 OF 3

OWNER'S CERTIFICATE § STATE OF TEXAS § COUNTY OF JOHNSON §

WHEREAS IMPRESSION HOMES, LLC, IS THE OWNER OF THE HEREOF DESCRIBED PROPERTY TO WIT:

BEING A 65.018 ACRE TRACT OF LAND SITUATED IN THE JAMES M. MOORE SURVEY, ABSTRACT NO. 620 AND THE HG CATLETT SURVEY, ABSTRACT NO. 184, CITY OF BURLESON AND CITY OF JOSHUA, JOHNSON COUNTY, TEXAS, BEING ALL OF THE LAND DESCRIBED IN THE DEED TO IMPRESSION HOMES, LLC, AS RECORDED IN COUNTY CLERK'S DOCUMENT NUMBER 2023-26392, OFFICIAL PUBLIC RECORDS, JOHNSON COUNTY, TEXAS (OPRJCT), SAID 65.018 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" CAPPED IRON ROD STAMPED "MMA" SET IN THE EAST LINE OF SAID IMPRESSION HOMES, LLC TRACT, IN THE NORTHERLY RIGHT-OF-WAY LINE OF CLUBHOUSE DRIVE, A 60.00 FOOT WIDE RIGHT-OF-WAY, ACCORDING TO THE PLAT RECORDED IN VOLUME 8, PAGE 875, DRAWER B, PLAT RECORDS, JOHNSON COUNTY, TEXAS (PRJCT) AND FOR THE SOUTHWEST CORNER OF MOUNTAIN VALLEY LAKE, TRACT C, PHASE 2, AN ADDITION TO THE CITY OF BURLESON, JOHNSON COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 9, PAGE 127, DRAWER C, PRJCT;

THENCE WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID CLUBHOUSE DRIVE, OVER AND ACROSS SAID IMPRESSION HOMES, LLC TRACT, THE FOLLOWING COURSES AND DISTANCES:

NORTH 80'23'02" WEST, A DISTANCE OF 53.34 FEET TO A 5/8" CAPPED IRON ROD STAMPED "MMA" SET FOR THE BEGINNING OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 250.00 FEET AND A CHORD WHICH BEARS NORTH 73°55'31" WEST, A DISTANCE OF 56.24 FEET; IN A NORTHWESTERLY DIRECTION, WITH SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 12°55'03", AN ARC DISTANCE OF 56.36 FEET TO A 5/8" CAPPED IRON ROD STAMPED "MMA" SET FOR THE END OF SAID CURVE TO THE RIGHT; NORTH 67°27'59" WEST, A DISTANCE OF 16.36 FEET TO A 5/8" CAPPED IRON ROD STAMPED "CARTER AND BURGESS" FOUND FOR THE BEGINNING OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 370.00 FEET AND A CHORD WHICH BEARS NORTH 66°52'20" WEST, A DISTANCE OF 7.67 FEET; IN A NORTHWESTERLY DIRECTION, WITH SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 11°19", AN ARC DISTANCE OF 7.67 FEET TO A 5/8" CAPPED IRON ROD STAMPED "MMA" SET IN THE WESTERLY LINE OF SAID IMPRESSION HOMES, LLC TRACT, FOR THE SOUTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN THE DEED TO DJJ INVESTMENTS, AS RECORDED IN VOLUME 2516, PAGE 588, DRJCT, AND FOR THE END OF SAID CURVE TO THE RIGHT;

THENCE WITH THE COMMON LINE OF SAID IMPRESSION HOMES, LLC TRACT AND SAID DJJ INVESTMENTS TRACT, THE FOLLOWING COURSES AND DISTANCES:

NORTH 26°01'28" EAST, A DISTANCE OF 109.12 FEET TO A 5/8" IRON ROD FOUND (DISTURBED) FOR CORNER; NORTH 31°34'27" WEST, A DISTANCE OF 505.10 FEET TO A 5/8" IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID IMPRESSION HOMES, LLC TRACT (VOLUME 2519, PAGE 480) AND AN ANGLE POINT IN THE EASTERLY LINE OF SAID DJJ INVESTMENTS TRACT;

THENCE WITH THE COMMON LINE OF SAID IMPRESSION HOMES, LLC TRACT AND A TRACT OF LAND DESCRIBED IN THE DEED TO ZL & SYK, LLC, AS RECORDED IN DOCUMENT NO. 2018-8443, OPRJCT, THE FOLLOWING COURSES AND DISTANCES:

NORTH 9°47'00" EAST, PASSING A 5/8" CAPPED IRON ROD STAMPED "CARTER AND BURGESS" FOUND FOR THE NORTH CORNER OF SAID DJJ INVESTMENTS TRACT, AND CONTINUE FOR A TOTAL DISTANCE OF 140.36 FEET (DEED 139.12 FEET) TO A 5/8" IRON ROD FOUND FOR CORNER; NORTH 50°46'32" EAST, A DISTANCE OF 389.35 FEET TO A 5/8" CAPPED IRON ROD STAMPED "MMA" SET FOR CORNER; NORTH 22°00'05" EAST, A DISTANCE OF 271.00 FEET TO A 5/8" CAPPED IRON ROD STAMPED "MMA" SET FOR CORNER; NORTH 19°14'37" EAST, A DISTANCE OF 197.29 FEET TO A 5/8" CAPPED IRON ROD STAMPED "MMA" SET FOR CORNER; NORTH 76°55'05" EAST, A DISTANCE OF 58.26 FEET TO A 5/8" CAPPED IRON ROD STAMPED "MMA" SET FOR CORNER; SOUTH 60°57'34" EAST, A DISTANCE OF 94.51 FEET TO A 5/8" CAPPED IRON ROD STAMPED "MMA" SET FOR CORNER; NORTH 53°41'32" EAST, A DISTANCE OF 559.30 FEET TO A 5/8" CAPPED IRON ROD STAMPED "MMA" SET FOR CORNER; NORTH 39°10'09" EAST, A DISTANCE OF 251.73 FEET TO A 5/8" CAPPED IRON ROD STAMPED "MMA" SET FOR CORNER; NORTH 42°16'04" EAST, A DISTANCE OF 427.80 FEET TO A 5/8" CAPPED IRON ROD STAMPED "MMA" SET FOR CORNER; NORTH 42°46'07" EAST, A DISTANCE OF 501.38 FEET TO A 5/8" CAPPED IRON ROD STAMPED "MMA" SET FOR CORNER; NORTH 20°30'05" WEST, PASSING A 1/2" IRON ROD FOUND, AT A DISTANCE OF 123.28 FEET AND CONTINUE FOR A TOTAL DISTANCE OF 480.75 FEET TO A 5/8" CAPPED IRON ROD STAMPED "MMA" SET FOR CORNER; NORTH 0°20'49" EAST, A DISTANCE OF 183.05 FEET TO A 5/8" CAPPED IRON ROD STAMPED "MMA" SET FOR CORNER; NORTH 45°15'20" WEST, A DISTANCE OF 165.65 FEET TO A 5/8" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF COMMON AREA NO. 1 & DRAINAGE EASEMENT AS SHOWN ON THE PLAT OF LAKEWOOD PHASE 3 OF MOUNTAIN VALLEY COUNTRY CLUB ESTATES, AN ADDITION TO THE CITY OF BURLESON, JOHNSON COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET 8, PAGE 430, DRAWER B-201, PRJCT;

THENCE NORTH 44°49'37" EAST, WITH THE COMMON LINE OF SAID IMPRESSION HOMES, LLC TRACT AND SAID COMMON AREA, A DISTANCE OF 17.98 FEET TO A 5/8" CAPPED IRON ROD STAMPED "KSC/4019" FOUND FOR THE NORTHEAST CORNER OF SAID COMMON AREA NO. 1 AND IN THE SOUTHWESTERLY LINE OF A TRACT OF LAND DESCRIBED IN THE DEED TO WICKER HILL DEVELOPMENT LLC, AS RECORDED IN INSTRUMENT NO. 22-27445, OPRJCT;

THENCE WITH THE COMMON LINE OF SAID IMPRESSION HOMES, LLC TRACT AND SAID WICKER HILL DEVELOPMENT LLC TRACT, AND WITH THE MEANDERS OF WILLOW CREEK, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 45°02'41" EAST, A DISTANCE OF 204.59 FEET TO A POINT FOR CORNER; SOUTH 45°16'00" EAST, A DISTANCE OF 304.59 FEET TO A POINT FOR CORNER; NORTH 20°00'53" EAST, A DISTANCE OF 26.39 FEET TO A POINT FOR CORNER; NORTH 34°40'25" WEST, A DISTANCE OF 51.24 FEET TO A POINT FOR CORNER; NORTH 39°11'49" EAST, A DISTANCE OF 34.36 FEET TO A POINT FOR CORNER; NORTH 10°04'52" EAST, A DISTANCE OF 63.93 FEET TO A POINT FOR CORNER; NORTH 75°59'15" EAST, A DISTANCE OF 36.88 FEET TO A POINT FOR CORNER; SOUTH 74°45'48" EAST, A DISTANCE OF 60.83 FEET TO A POINT FOR CORNER; SOUTH 32°08'36" EAST, A DISTANCE OF 119.33 FEET TO A POINT FOR CORNER; SOUTH 53°21'14" EAST, A DISTANCE OF 96.79 FEET TO A POINT FOR CORNER;

NORTH 61°03'30" EAST, A DISTANCE OF 107.40 FEET TO A POINT FOR CORNER; SOUTH 51°16'13" EAST, A DISTANCE OF 107.20 FEET TO A POINT FOR CORNER; NORTH 75°48'42" EAST, A DISTANCE OF 37.84 FEET TO A POINT FOR CORNER; NORTH 42°24'29" EAST, A DISTANCE OF 19.87 FEET TO A POINT FOR CORNER; NORTH 26°04'11" EAST, A DISTANCE OF 110.77 FEET TO A POINT FOR CORNER; NORTH 68°56'47" EAST, A DISTANCE OF 57.02 FEET TO A POINT FOR CORNER; NORTH 32°53'12" EAST, A DISTANCE OF 81.34 FEET TO A POINT FOR CORNER; NORTH 39°50'21" EAST, A DISTANCE OF 75.50 FEET TO A POINT FOR CORNER; NORTH 63°57'32" EAST, A DISTANCE OF 24.83 FEET TO A POINT FOR CORNER; SOUTH 80°13'11" EAST, A DISTANCE OF 29.35 FEET TO A POINT FOR CORNER; NORTH 64°13'16" EAST, A DISTANCE OF 96.41 FEET TO A POINT FOR CORNER; NORTH 15°09'34" EAST, A DISTANCE OF 76.74 FEET TO A POINT FOR CORNER; NORTH 13°20'38" WEST, A DISTANCE OF 88.50 FEET TO A POINT FOR CORNER; NORTH 1°07'07" EAST, A DISTANCE OF 100.48 FEET TO A POINT FOR CORNER; NORTH 40°24'50" EAST, A DISTANCE OF 35.35 FEET TO A POINT FOR CORNER; SOUTH 88°28'00" EAST, A DISTANCE OF 112.32 FEET TO A POINT FOR CORNER; SOUTH 50°15'48" EAST, A DISTANCE OF 132.03 FEET TO A POINT FOR CORNER; SOUTH 51°24'46" WEST, PASSING THE NORTH CORNER OF SAID IMPRESSION HOMES, LLC TRACT, AT A DISTANCE OF 60.65 FEET AND CONTINUE FOR A TOTAL DISTANCE OF 149.91 FEET TO A POINT FOR THE SOUTH CORNER OF SAID IMPRESSION HOMES, LLC TRACT (VOLUME 2581, PAGE 926) AND IN THE NORTHEASTERLY LINE OF SAID IMPRESSION HOMES, LLC TRACT, FROM WHICH A 5/8" IRON ROD FOUND FOR THE WEST CORNER OF SAID IMPRESSION HOMES, LLC TRACT; SOUTH 8°29'05" EAST, A DISTANCE OF 77.83 FEET TO A POINT FOR CORNER; SOUTH 63°12'36" WEST, A DISTANCE OF 41.90 FEET TO A POINT FOR CORNER; SOUTH 15°46'24" WEST, A DISTANCE OF 16.05 FEET TO A POINT FOR CORNER; SOUTH 25°42'41" EAST, A DISTANCE OF 50.42 FEET TO A POINT FOR CORNER; SOUTH 18°50'29" WEST, A DISTANCE OF 31.73 FEET TO A POINT FOR CORNER; SOUTH 0°14'38" WEST, A DISTANCE OF 35.28 FEET TO A POINT FOR CORNER;

THENCE SOUTH 46°26'49" EAST, WITH THE NORTHEASTERLY LINE OF SAID IMPRESSION HOMES, LLC TRACT, PASSING THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN THE DEED TO JOHNSON COUNTY SPECIAL UTILITY DISTRICT (TRACT 2), AS RECORDED IN INSTRUMENT 2009-32098, OPRJCT, AT A DISTANCE OF 52.88 FEET AND CONTINUE FOR A TOTAL DISTANCE OF 229.97 FEET TO A 5/8" IRON ROD FOUND FOR AN ANGLE POINT;

THENCE SOUTH 16°12'25" EAST, CONTINUING WITH THE COMMON LINE OF SAID IMPRESSION HOMES, LLC TRACT AND SAID JOHNSON COUNTY SPECIAL UTILITY DISTRICT TRACT, A DISTANCE OF 345.56 FEET TO A 3/4" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID IMPRESSION HOMES, LLC TRACT, THE SOUTHWEST CORNER OF SAID JOHNSON COUNTY SPECIAL UTILITY DISTRICT TRACT AND IN THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN THE DEED TO A.B. WHARTON III AND JOLINE WHARTON, AS DESCRIBED IN DOCUMENT NO. 2016-10257, OPRJCT

THENCE WITH THE COMMON LINE OF SAID IMPRESSION HOMES, LLC TRACT AND SAID WHARTON TRACT, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 73°45'47" WEST, A DISTANCE OF 698.90 FEET TO A 6" STEEL PIPE FOUND FOR AN INTERIOR ELL CORNER OF SAID IMPRESSION HOMES, LLC TRACT AND A NORTHWEST CORNER OF SAID WHARTON TRACT; SOUTH 16°12'08" EAST, A DISTANCE OF 162.38 FEET TO A 1" IRON ROD FOUND FOR AN ANGLE POINT; SOUTH 6°58'39" EAST, A DISTANCE OF 137.11 FEET TO A 5/8" CAPPED IRON ROD STAMPED "SHIELD ENGINEERING" FOUND FOR THE MOST EASTERLY NORTHEAST CORNER OF TRACT C, PHASE 4, MOUNTAIN VALLEY LAKE, AN ADDITION TO THE CITY OF BURLESON, JOHNSON COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN DRAWER F, VOLUME 10, PAGE 754, PRJCT, AND IN THE NORTH RIGHT-OF-WAY LINE OF WOODBERRY DRIVE, A 50.00 FOOT WIDE PUBLIC RIGHT-OF-WAY;

THENCE WITH THE NORTH AND WESTERLY LINE OF SAID TRACT C, PHASE 4, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 83°02'19" WEST, A DISTANCE OF 127.06 FEET TO A 5/8" CAPPED IRON ROD STAMPED "SHIELD ENGINEERING" FOUND FOR THE SOUTH END OF A CORNER CLIP; NORTH 51°56'31" WEST, A DISTANCE OF 14.14 FEET TO A 5/8" CAPPED IRON ROD STAMPED "SHIELD ENGINEERING" FOUND FOR THE NORTH END OF SAID CORNER CLIP, IN THE EAST RIGHT-OF-WAY LINE OF ST. ANDREWS DRIVE, A 50.00 FOOT WIDE PUBLIC RIGHT-OF-WAY, AND FOR THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 325.00 FEET AND A CHORD WHICH BEARS NORTH 1°05'05" WEST, A DISTANCE OF 62.43 FEET; IN A NORTHWESTERLY DIRECTION, WITH SAID NON-TANGENT CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 11°01'23", AN ARC DISTANCE OF 62.53 FEET TO A 5/8" CAPPED IRON ROD STAMPED "MMA" SET FOR THE END OF SAID NON-TANGENT CURVE TO THE RIGHT; NORTH 85°34'24" WEST, A DISTANCE OF 50.00 FEET TO AN "X" CUT SET FOR THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 375.00 FEET, AND A CHORD WHICH BEARS SOUTH 1°06'32" EAST, A DISTANCE OF 72.35 FEET; IN A SOUTHEASTERLY DIRECTION, WITH SAID NON-TANGENT CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 11°04'17", AN ARC DISTANCE OF 72.46 FEET TO A 5/8" CAPPED IRON ROD STAMPED "SHIELD ENGINEERING" FOUND FOR THE END OF SAID NON-TANGENT CURVE TO THE LEFT AND AT THE NORTH END OF A CORNER CLIP; SOUTH 38°03'18" WEST, A DISTANCE OF 14.15 FEET TO A 5/8" IRON ROD FOUND FOR THE SOUTH END OF SAID CORNER CLIP; SOUTH 83°02'19" WEST, A DISTANCE OF 144.85 FEET TO A 5/8" IRON ROD FOUND (DISTURBED); SOUTH 6°57'42" EAST, A DISTANCE OF 50.00 FEET TO A 5/8" IRON ROD FOUND IN THE SOUTH RIGHT-OF-WAY LINE OF SAID WOODBERRY DRIVE AND THE NORTHWEST CORNER OF LOT 16 OF SAID TRACT C, PHASE 4; SOUTH 15°04'59" WEST, A DISTANCE OF 263.74 FEET TO A 5/8" CAPPED IRON ROD STAMPED "SHIELDS ENGINEERING" FOUND; NORTH 57°08'18" WEST, A DISTANCE OF 132.51 FEET TO A 5/8" CAPPED IRON ROD STAMPED "SHIELDS ENGINEERING" FOUND; SOUTH 15°24'45" WEST, A DISTANCE OF 226.47 FEET TO A 5/8" CAPPED IRON ROD STAMPED "MMA" SET; SOUTH 32°51'52" WEST, A DISTANCE OF 143.89 FEET TO A 5/8" CAPPED IRON ROD STAMPED "SHIELD ENGINEERING" FOUND; SOUTH 5°05'38" EAST, A DISTANCE OF 88.79 FEET TO A 5/8" CAPPED IRON ROD STAMPED "CARTER & BURGESS" FOUND FOR THE SOUTHWEST CORNER OF LOT 7 OF SAID TRACT C, PHASE 4 AND THE NORTHEAST CORNER OF LOT 6, TRACT C, PHASE 3, MOUNTAIN VALLEY LAKE, AN ADDITION TO THE CITY OF BURLESON, JOHNSON COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 9, PAGE 429, SLIDE C, PRJCT;

THENCE WITH THE NORTH LINE OF SAID TRACT C, PHASE 3, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 63°59'32" WEST, A DISTANCE OF 95.55 FEET TO A 5/8" CAPPED IRON ROD STAMPED "MMA" SET; SOUTH 71°32'17" WEST, A DISTANCE OF 127.34 FEET TO A 5/8" IRON ROD FOUND; SOUTH 86°52'09" WEST, A DISTANCE OF 132.88 FEET TO A POINT FOR CORNER IN THE EAST RIGHT-OF-WAY LINE OF PINNACLE DRIVE, A 50.00 FOOT WIDE PUBLIC RIGHT-OF-WAY, AND FOR THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 400.00 FEET AND A CHORD WHICH BEARS NORTH 7°00'03" WEST, A DISTANCE OF 15.00 FEET, FROM WHICH A 5/8" CAPPED IRON ROD STAMPED "CARTER & BURGESS" FOUND BEARS NORTH 48°54'29" WEST, A DISTANCE OF 0.20 FEET; IN A NORTHWESTERLY DIRECTION, WITH SAID NON-TANGENT CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 2°08'55", AN ARC DISTANCE OF 15.00 FEET TO A 5/8" CAPPED IRON ROD STAMPED "MMA" SET; SOUTH 81°55'30" WEST, A DISTANCE OF 50.00 FEET TO A 5/8" CAPPED IRON ROD STAMPED "MMA" SET IN THE WEST RIGHT-OF-WAY LINE OF SAID PINNACLE DRIVE AND FOR THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 349.93 FEET AND A CHORD WHICH BEARS SOUTH 5°28'27" EAST, A DISTANCE OF 31.77 FEET; IN A SOUTHEASTERLY DIRECTION, WITH SAID NON-TANGENT CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 5°12'13", AN ARC DISTANCE OF 31.78 FEET TO A 5/8" IRON ROD FOUND FOR THE END OF SAID NON-TANGENT CURVE TO THE RIGHT; SOUTH 86°18'17" WEST, A DISTANCE OF 213.86 FEET TO A 5/8" CAPPED IRON ROD STAMPED "CARTER & BURGESS" FOUND; NORTH 16°13'44" WEST, A DISTANCE OF 150.03 FEET TO A 5/8" CAPPED IRON ROD STAMPED "MMA" SET; NORTH 57°25'08" WEST, A DISTANCE OF 70.00 FEET TO A 5/8" CAPPED IRON ROD STAMPED "MMA" SET FOR THE NORTHWEST CORNER OF SAID TRACT C, PHASE 3 (COMMON AREA, LOT 30);

THENCE SOUTH 32°34'52" WEST, PASSING THE MOST WESTERLY SOUTHWEST CORNER OF SAID TRACT C, PHASE 3 (COMMON AREA, LOT 30) AND THE NORTHWEST CORNER OF THE AFOREMENTIONED TRACT C, PHASE 2, MOUNTAIN VALLEY LAKE, AT A DISTANCE OF 529.75 FEET AND CONTINUE FOR A TOTAL DISTANCE OF 1,737.69 FEET TO THE POINT OF BEGINNING AND CONTAINING 2,832,173 SQUARE FEET OR 65.018 ACRES OF LAND, MORE OR LESS.

GENERAL NOTES:

- 1. BEARINGS AND COORDINATES ARE GRID BASED ON THE "TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE" (2011) AS DETERMINED BY GPS OBSERVATIONS. THE CONVERGENCE ANGLE AT THE POINT OF BEGINNING IS 0°37'09.8". ALL DISTANCES HAVE BEEN ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000113314956.
2. DRIVEWAY APPROACH LOCATIONS ON CORNER LOTS SHALL BE LOCATED TO APPROXIMATELY LINE UP WITH THE SIDE OF THE HOUSE OR GARAGE THAT IS FARTHEST FROM THE INTERSECTION.
3. THIS PLAT DOES NOT ALTER OR REMOVE EXISTING DEED RESTRICTIONS OR COVENANTS, IF ANY, ON THIS PROPERTY.
4. NO FENCES OR OTHER STRUCTURES WILL BE ALLOWED WITHIN THE DRAINAGE EASEMENT.
5. 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.
6. ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 48251001801 DATED DECEMBER 4, 2012 THE SUBJECT PROPERTY IS LOCATED WITHIN THE FOLLOWING ZONES:
• ZONE X - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN
• ZONE AE - BASE FLOOD ELEVATIONS DETERMINED
7. THE CITY OF BURLESON IS NOT RESPONSIBLE FOR THE DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE, OR USE OF ANY NATURAL CREEK AND ASSOCIATED DRAINAGE EASEMENTS, HERINAFTER REFERRED TO AS "FEATURE." DEVELOPER WILL INDEMNIFY, DEFEND AND HOLD HARMLESS THE CITY OF BURLESON, ITS OFFICERS, EMPLOYEES AND AGENTS FROM ANY DIRECT OR INDIRECT LOSS, DAMAGE, LIABILITY OR EXPENSE AND ATTORNEYS' FEES FOR ANY NEGLIGENCE WHATSOEVER, ARISING OUT OF THE DESIGN, CONSTRUCTION, OPERATION MAINTENANCE, CONDITION OR USE OF THE FEATURE INCLUDING ANY NON-PERFORMANCE OF THE FOREGOING. DEVELOPER WILL REQUIRE ANY SUCCESSOR IN INTEREST TO ACCEPT FULL RESPONSIBILITY AND LIABILITY FOR THE FEATURE. ALL OF THE ABOVE SHALL BE COVENANTS RUNNING WITH THE LAND. IT IS EXPRESSLY CONTEMPLATED THAT DEVELOPER SHALL IMPOSE THESE COVENANTS UPON LOT(S) 9X, BLOCK 28 ABUTTING, ADJACENT OR SERVED BY THE FEATURE THE FULL OBLIGATION AND RESPONSIBILITY OF MAINTAINING AND OPERATING SAID FEATURE.
8. ANY LOTS ADJACENT TO A PARK OR OPEN SPACE SHALL REQUIRE A DECORATIVE METAL FENCE.
9. 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.
10. NO IMPROVEMENTS GREATER THAN 2 FEET IN HEIGHT WILL BE ALLOWED WITHIN THE MODIFIED VISIBILITY EASEMENTS FOR LOT 1X, BLOCK 30 AND LOT 65X, BLOCK 23, INCLUDING BUT NOT LIMITED TO FENCES, WALLS, LANDSCAPING, SIGNS, ETC.
11. THE REQUIREMENT OF PUBLIC INFRASTRUCTURE WAS BASED ON THE UTILITY EXHIBIT THAT WAS SUBMITTED FOR REVIEW WITH THIS PLAT ON APRIL 15, 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.
12. 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.
13. THE CITY OF BURLESON IS NOT RESPONSIBLE FOR THE DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE OR USE OF ANY STORM WATER STORAGE FACILITY OR OF ANY NATURAL CREEK AND ASSOCIATED DRAINAGE EASEMENTS HERINAFTER REFERRED TO AS "IMPROVEMENTS," TO BE DEVELOPED AND CONSTRUCTED BY DEVELOPER OR SUCCESSORS. DEVELOPER WILL INDEMNIFY, DEFEND AND HOLD HARMLESS THE CITY OF BURLESON, ITS OFFICERS, EMPLOYEES AND AGENTS FROM ANY DIRECT OR INDIRECT LOSS, DAMAGE, LIABILITY OR EXPENSE AND ATTORNEYS' FEES FOR ANY NEGLIGENCE WHATSOEVER, ARISING OUT OF THE DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE CONDITION OR USE OF THE IMPROVEMENTS, INCLUDING ANY NON-PERFORMANCE OF THE FOREGOING. DEVELOPER WILL REQUIRE ANY SUCCESSOR IN INTEREST TO ACCEPT FULL RESPONSIBILITY AND LIABILITY FOR THE IMPROVEMENTS. ALL OF THE ABOVE SHALL BE COVENANTS RUNNING WITH THE LAND. IT IS EXPRESSLY CONTEMPLATED THAT DEVELOPER SHALL IMPOSE THESE COVENANTS UPON LOT(S) 9X, BLOCK 28 ABUTTING, ADJACENT OR SERVED BY THE IMPROVEMENTS THE FULL OBLIGATION AND RESPONSIBILITY OF MAINTAINING AND OPERATING SAID IMPROVEMENTS.
14. 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.
15. NO DIRECT RESIDENTIAL ACCESS TO CLUBHOUSE DRIVE WILL BE PERMITTED.

KNOW ALL MEN BY THESE PRESENTS

THAT WE, IMPRESSION HOMES, LLC, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREBY DESCRIBED PROPERTY AS TRACT B, MOUNTAIN VALLEY LAKE, AN ADDITION TO THE CITY OF BURLESON, JOHNSON COUNTY, TEXAS, AND DO HEREBY DEDICATE TO THE PUBLIC 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 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.

OWNER, IMPRESSION HOMES, LLC

STATE OF TEXAS § COUNTY OF §

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED RAY BROWN, 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 _____, 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

SURVEYOR'S CERTIFICATE

THAT I, LON E. WHITTEN, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY DECLARE THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN HEREON AS SET WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF BURLESON, JOHNSON COUNTY, TEXAS.

PRELIMINARY

This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document. RELEASED FOR REVIEW BY:

LON E. WHITTEN DATE: OCTOBER 04, 2024 REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS REGISTRATION NO. 5893

STATE OF TEXAS § COUNTY OF TARRANT §

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED LON E. WHITTEN, 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 EXPRESSED IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS _____ DAY OF _____, 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

FINAL PLAT TRACT B MOUNTAIN VALLEY LAKE LOTS 31-33, LOT 34X, LOTS 35-64, LOT 65X, BLOCK 23 LOTS 17-28, BLOCK 27 LOTS 1-8, LOT 9X, LOTS 10-15, BLOCK 28 LOTS 1-11, LOT 12X, BLOCK 29 LOT 1X, LOTS 2-19, LOT 20X, LOTS 21-44, BLOCK 30 & LOTS 1-11, BLOCK 31

123 RESIDENTIAL LOTS 6 PRIVATE HOA/DEVELOPER OWNED & MAINTAINED OPEN SPACE LOTS

BEING 65.018 ACRES OF LAND SITUATED IN THE J M MOORE SURVEY, ABSTRACT NO. 620 THE HG CATLETT SURVEY, ABSTRACT NO. 184 CITY OF BURLESON JOHNSON COUNTY, TEXAS OCTOBER 2024 SURVEYOR/ENGINEER:



OWNER: IMPRESSION HOMES, LLC P.O. BOX 92726 SOUTH LAKE, TX 76092 SOUTH LAKE, TX 76092 TEL: 214-280-9688 EMAIL: peter.lai@impressionhomes.net CONTACT: PETER LAI DEVELOPER: IMPRESSION HOMES, LLC 2325 DEAN WAY, SUITE 150 SOUTH LAKE, TX 76092 TEL: 214-280-9688 EMAIL: peter.lai@impressionhomes.net CONTACT: PETER LAI CONTACT: ANDREA TAYLOR, P.E. COPYRIGHT © 2024 MMA, INC. CASE FP-24-040 SHEET 3 OF 3

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services

FROM: Emilio Sanchez, Development Services Assistant Director

MEETING: November 12, 2024

SUBJECT:

Davenport Mitchell Addition (Case 24-162): Consider approval of a final plat for Davenport Mitchell Addition, Lots 1, 2, and 3 Block A; addressed as 215 NE Wilshire BLVD. (*Staff Contact: Emilio Sanchez, Development Services Assistant Director*)

SUMMARY:

On April 29, 2024, an application for a Final Plat was submitted by Jim Dewey Jr. with JDJR Engineers (applicant) on behalf of Reid Mitchell & Bobby Davenport (owners) for a final plat of approximately 2.760 acres. The property is being platted into 3 commercial lots with one of the lots being a Taco Casa.

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

RECOMMENDATION:

Approve the Final Plat for Davenport Michell Addition, Lots 1, 2 & 3 BLK A

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

None

REFERENCE:

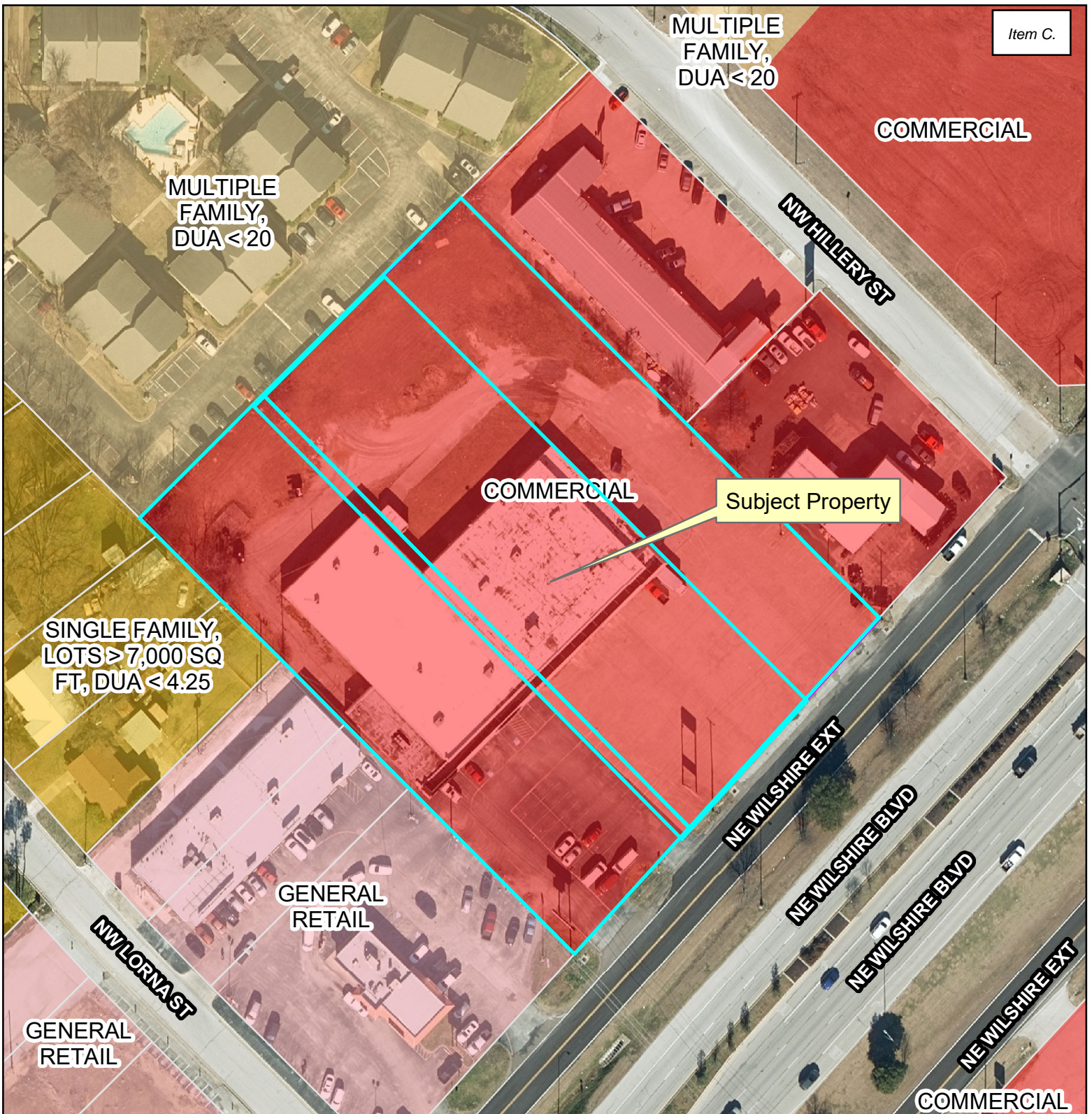
[City of Burleson, TX PLAT REQUIREMENTS: § 3.6 Replat. \(ecode360.com\)](#)

FISCAL IMPACT:

None

STAFF CONTACT:

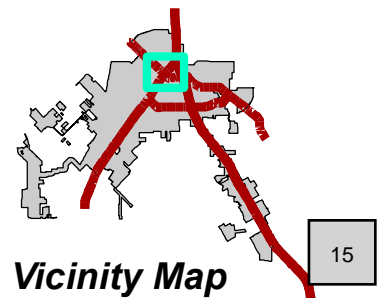
Emilio Sanchez
Development Services Assistant Director
esanchez@burlesontx.com
817-426-9686

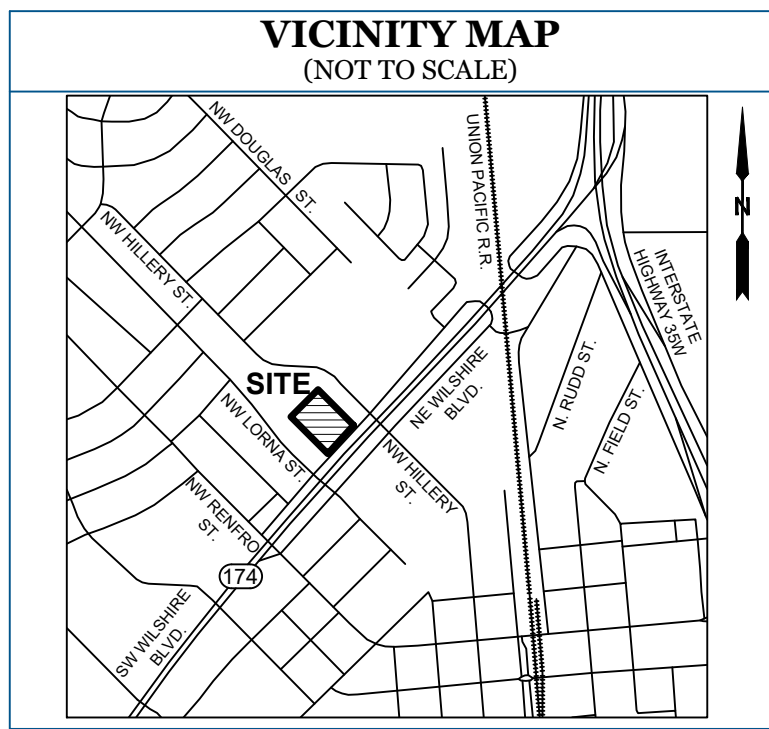


Davenport Mitchell Addition

Final Plat

Case 24-162





GENERAL PLAT NOTES

- All interior property corners are marked with a 1/2" iron rod with a green cap stamped "Eagle Surveying" unless otherwise noted.
- This property is located in **Non-Shaded Zone "X"** as scaled from the F.E.M.A. Flood Insurance Rate Map dated December 4, 2012 and is located in Community Number 485459 as shown on Map No. 48251C0065J. The Flood Zone location is approximate. For the exact Flood Zone designation, contact 1-(877) FEMA MAP.
- The purpose of this plat is to create two (2) lots of record from an unplatted tract of land and dedicate easements.
- The bearings and grid coordinates shown on this survey are based on GPS observations utilizing the AllTerra RTK Network, North American Datum of 1983 (Adjustment Realization 2011) Texas North Central Zone (4202).
- No fences or other structures will be allowed within drainage easements.
- 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 (Ord. 6.1.H).
- The right-of-way dedication is granted in fee simple to the City of Burleson for use as storm water, public utility, pedestrian, or other public purposes.
- The City of Burleson is not responsible for the design, construction, operation, maintenance or use of any storm water storage facility and associated drainage easements hereinafter referred to as "improvements," to be developed and constructed by developer or successors. Developer will indemnify, defend and hold harmless the City of Burleson, its officers, employees and agents from any direct or indirect loss, damage, liability or expense and attorneys' fees for any negligence whatsoever, arising out of the design, construction, operation, maintenance condition or use of the improvements, including any non-performance of the foregoing. Developer will require any successor in interest to accept full responsibility and liability for the improvements. All of the above shall be covenants running with the land. It is expressly contemplated that developer shall impose these covenants upon Lot(s) abutting, adjacent or served by the improvements the full obligation and responsibility of maintaining and operating said improvements.
- The subject property is zoned Commercial.
- No fences or other structures will be allowed within the drainage easement.
- The City of Burleson reserves the right to require minimum finished 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.
- No improvements greater than 2 feet in height will be allowed within the visibility easements included, but not limited to, fences, walls, landscaping, signs, etc.
- 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 this 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.
- The Common Access Easement is for the use of the following properties: Lots 1-3, Block A, as created by this plat. No improvements shall be made that impede ingress and/or egress along this easement. The common access easement shall be maintained by the property owner.

LEGEND

PG. = PAGE
VOL. = VOLUME
POB = POINT OF BEGINNING
IRF = IRON ROD FOUND
CIRF = CAPPED IRON ROD FOUND
CIRS = CAPPED IRON ROD SET
DOC. NO. = DOCUMENT NUMBER
O.P.R.J.C.T. = OFFICIAL PUBLIC RECORDS, JOHNSON COUNTY, TEXAS
D.R.J.C.T. = DEED RECORDS, JOHNSON COUNTY, TEXAS
P.R.J.C.T. = PLAT RECORDS, JOHNSON COUNTY, TEXAS
C = CENTER LINE OF ROAD

CURVE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	14.93'	9.50'	90°03'31"	S 02°52'49" E	13.44'
C2	31.20'	20.50'	87°12'40"	N 01°18'58" W	28.28'
C3	17.03'	10.50'	92°55'58"	S 88°36'55" W	15.22'

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 44°42'08" E	28.54'
L2	N 42°08'56" E	74.48'
L3	S 44°58'06" W	43.50'
L4	S 42°08'56" W	8.47'
L5	N 45°04'54" E	7.00'
L6	S 45°04'55" W	22.00'
L7	N 44°54'01" E	15.00'
L8	S 42°08'56" W	171.02'
L9	N 35°37'45" E	55.94'
L10	N 48°40'07" E	55.24'

CERTIFICATE OF APPROVAL

Approved by the Planning and Zoning Commission of Burleson, Texas

This the ____ day of _____, 2024.

BY: _____
Chair of Planning and Zoning Commission

BY: _____
City Secretary

CERTIFICATE OF SURVEYOR

STATE OF TEXAS
COUNTY OF DENTON

I, MATTHEW RAABE, Registered Professional Land Surveyor, do hereby certify that this plat was prepared from and actual survey made on the ground and that the monuments shown hereon were found or placed with 1/2" iron rods capped "EAGLE SURVEYING" under my direction and supervision in accordance with the ordinances of the City of Burleson, Johnson County, Texas.

STATE OF TEXAS
COUNTY OF DENTON

Before me, the undersigned authority, on this day personally appeared MATTHEW RAABE, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

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

Notary Public, Denton County, Texas.

JOB NUMBER
2403.014

DATE
10/08/2024

REVISION
-

DRAWN BY
DJJ



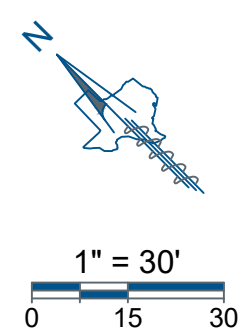
Eagle Surveying, LLC
222 South Elm Street
Suite: 200
Denton, TX 76201
940.222.3009
www.eaglesurveying.com
TX Firm # 10194177

SURVEYOR
Eagle Surveying, LLC
Contact: Brad Eubanks
222 S. Elm Street, Suite: 200
Denton, TX 76201
(940) 222-3009

OWNER
Reid Mitchell & Bobby Jay Davenport
P.O. Box 1222
Burleson, TX 76097
(214) 975-2783

OWNER
JDRM LLC
P.O. Box 1222
Burleson, TX 76097

ENGINEER
JDR Engineers and Consultants, Inc.
Contact: Debra Cox
2500 Texas Drive, Suite: 100
Irving, TX 75062
(972) 252-5357



OWNERS CERTIFICATION

STATE OF TEXAS
COUNTY OF JOHNSON

WHEREAS, JDRM LLC, REID MITCHELL AND BOBBY JAY DAVENPORT, are the owners of a 2.760 acre tract of land out of the HG CATLETT SURVEY, ABSTRACT NO. 183, situated in the City of Burleson, Johnson County, Texas, being all of a called 1.78 acre tract of land conveyed to Reid Mitchell and Bobby Jay Davenport by Special Warranty Deed with Vendor's Lien of record in Document Number 2013-19681 of the Official Public Records of Johnson County, Texas, and being all of a called 0.98 acre tract of land conveyed to JDRM LLC by Special Warranty Deed with Vendor's Lien of record in Document Number 2022-41202 of said Official Public Records and being more particularly described by metes & bounds as follows:

BEGINNING at a 1/2-inch iron rod with a yellow plastic cap stamped "BRITTAN AND CRAWFORD" Found in the Northwest right-of-way line of NE Wilshire Boulevard (Texas State Highway 174 - right-of-way width varies), being the East corner of Lot 18 (Commercial) in Block 3 of Montclair Addition, a subdivision of record in Volume 420, Page 643, Deed Records, Johnson County, Texas, also being the South corner of said 0.98 acre tract;

THENCE N45°00'59"W, departing from said Northwest right-of-way line, along the Northeast line of said Montclair Addition, being the common Southwest line of said 0.98 acre tract, a distance of 407.70 feet to a 1/2-inch iron rod with a yellow plastic cap stamped "BRITTAN AND CRAWFORD" found in said Northeast line, being the South corner of a called 3.209 acre tract of land conveyed to TPG FUND I, LLC by Special Warranty Deed of record in Volume 4, Page 93 of the Plat Records of Johnson County, Texas, also being the West corner of said 0.98 acre tract;

THENCE N44°58'06"E, along the Southeast line of said 3.209 acre tract and said Lot 2, being the common Northwest line of said 0.98 acre tract, passing a 1/2-inch iron rod with a yellow plastic cap stamped "BRITTAN AND CRAWFORD" found, being the North corner of said 0.98 acre tract, also being the West corner of said 1.78 acre tract at a distance of 105.95, and continuing along said course with said Southeast line, being the common Northwest line of said 1.78 acre tract for a total distance of 300.65 feet to a 1/2-inch iron rod with a green plastic cap stamped "EAGLE SURVEYING" set in said Southeast line, being the West corner of Lot 1, Block A, Montclair, a subdivision of record in Volume 2, Page 57 of said Plat Records, also being the North corner of said 1.78 acre tract, from which a 1/2-inch iron rod found bears N44°58'06"E, a distance of 120.12 feet;

THENCE S44°55'06"E, along the Southwest line of said Lot 1 and a called 0.511 acre tract of land conveyed to HMO Real Estate 18, LLC by Special Warranty Deed of record in Document Number 2023-1261 of said Official Public Records, being the common Northeast line of said 1.78 acre tract, a distance of 392.92 feet to a 1/2-inch iron rod found in the Northwest right-of-way line of NE Wilshire Boulevard, being the South corner of said 0.511 acre tract, also being the East corner of said 1.78 acre tract, from which a 1/2-inch iron rod found bears N42°08'56"E, a distance of 125.20 feet;

THENCE S42°08'56"W, along the Northwest right-of-way line of NE Wilshire Boulevard, being the common Southeast line of said 1.78 acre tract, passing a MAG nail found at the South corner of said 1.78 acre tract, also being the East corner of said 0.98 acre tract at a distance of 196.47 feet, and continuing along said course with the Northwest right-of-way line of NE Wilshire Boulevard, being the common Southeast line of said 0.98 acre tract for a total distance of 300.34 feet to the POINT OF BEGINNING and containing an area of 2.760 acres (120,214 square feet) of land, more or less.

OWNERS DEDICATION

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT JDRM LLC, REID MITCHELL AND BOBBY JAY DAVENPORT, do hereby adopt this plat, designating herein described property as a DAVENPORT MITCHELL ADDITION, LOTS 1, 2 AND 3, BLOCK A, an Addition to the City of Burleson, Johnson County, Texas and does hereby dedicate to public use forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown for the purpose and consideration therein expressed. 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.

OWNER: REID MITCHELL

BY: _____
Signature _____ Date _____

STATE OF _____
COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared REID MITCHELL, 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 expressed and in the capacity therein stated.

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

Notary Public, _____ County, Texas.

OWNER: BOBBY JAY DAVENPORT

BY: _____
Signature _____ Date _____

STATE OF _____
COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared BOBBY JAY DAVENPORT, 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 expressed and in the capacity therein stated.

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

Notary Public, _____ County, Texas.

OWNER: JDRM LLC

BY: _____
Signature _____ Date _____

STATE OF _____
COUNTY OF _____

Before me, the undersigned authority, 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 expressed and in the capacity therein stated.

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

Notary Public, _____ County, Texas.

CITY CASE #: RP24-162
FINAL PLAT
DAVENPORT MITCHELL
ADDITION
LOTS 1, 2 & 3, BLOCK A

BEING 2.760 ACRES OF LAND SITUATED IN THE
H.G. CATLETT SURVEY, ABSTRACT NO. 183
IN THE CITY OF BURLESON, JOHNSON COUNTY, TEXAS
3 COMMERCIAL LOTS
OCTOBER 2024

PLAT FILED _____, 20____
SLIDE _____, VOL. _____ PG. _____
JOHNSON COUNTY PLAT
RECORDS
BY: _____
COUNTY CLERK

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services
FROM: Lidon Pearce, Principal Planner
MEETING: November 12, 2024

SUBJECT:

Gene Harris Addition (Case 24-275): Consider approval of a final plat of Gene Harris Addition, Lot 1, Block 1, addressed as 627 SW Wilshire. *(Staff Contact: Lidon Pearce, Principal Planner)*

SUMMARY:

On September 16, 2024, an application for a final plat was submitted by Andrew Cimino with Red Sky Holdings on behalf of Coby Quisenberry with Gene Harris Petroleum, Inc. (owners) for a final plat of approximately 0.4556 acres. The property is being platted for the purpose of developing a 7 Brew coffee shop.

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

RECOMMENDATION:

Approve the final plat for Gene Harris Addition, Lot 1, Block 1.

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

N/A

REFERENCE:

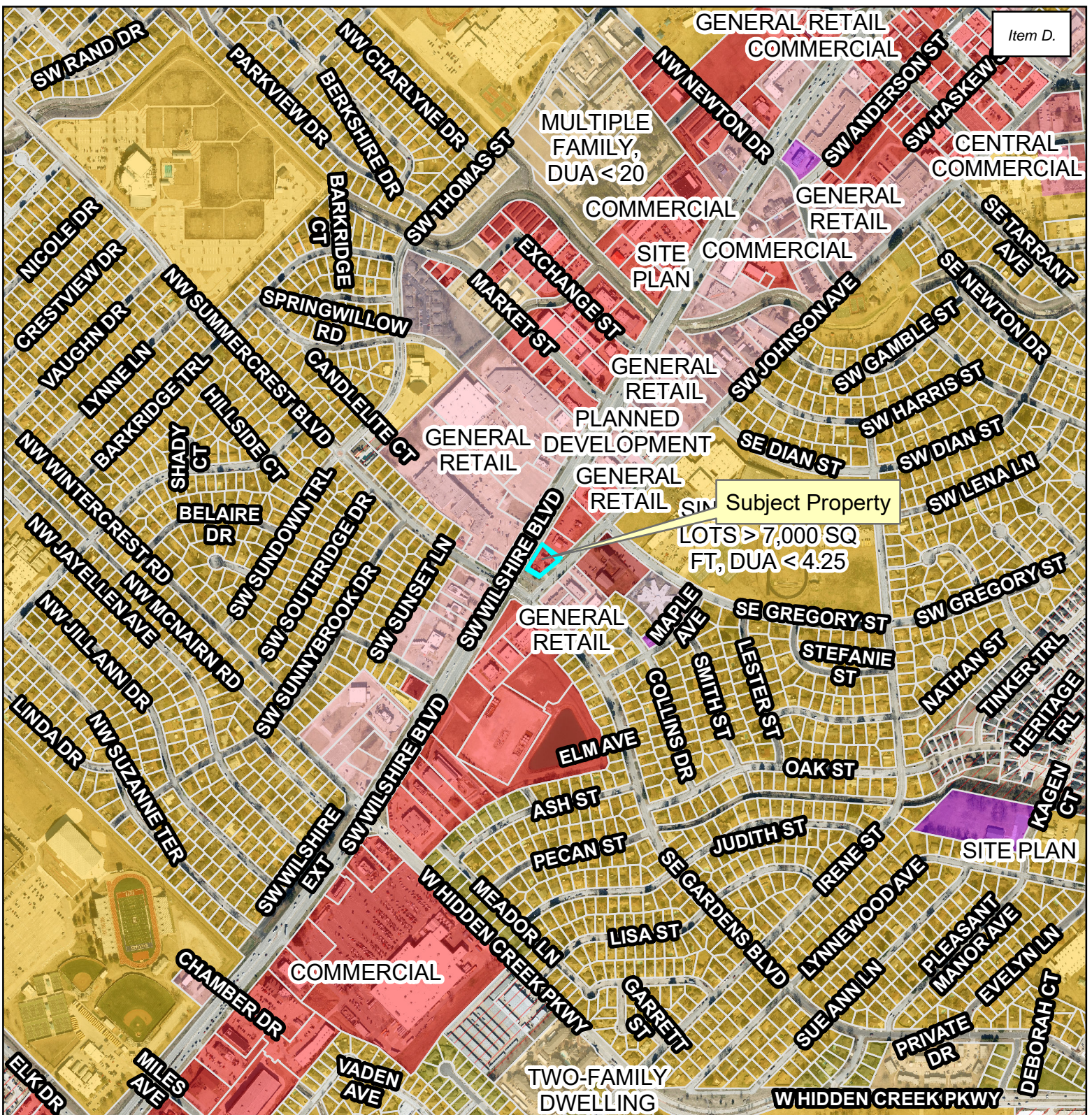
[City of Burleson, TX PLAT REQUIREMENTS \(ecode360.com\)](#)

FISCAL IMPACT:

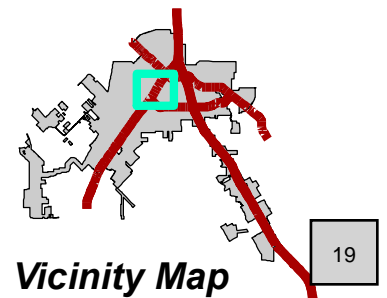
None

STAFF CONTACT:

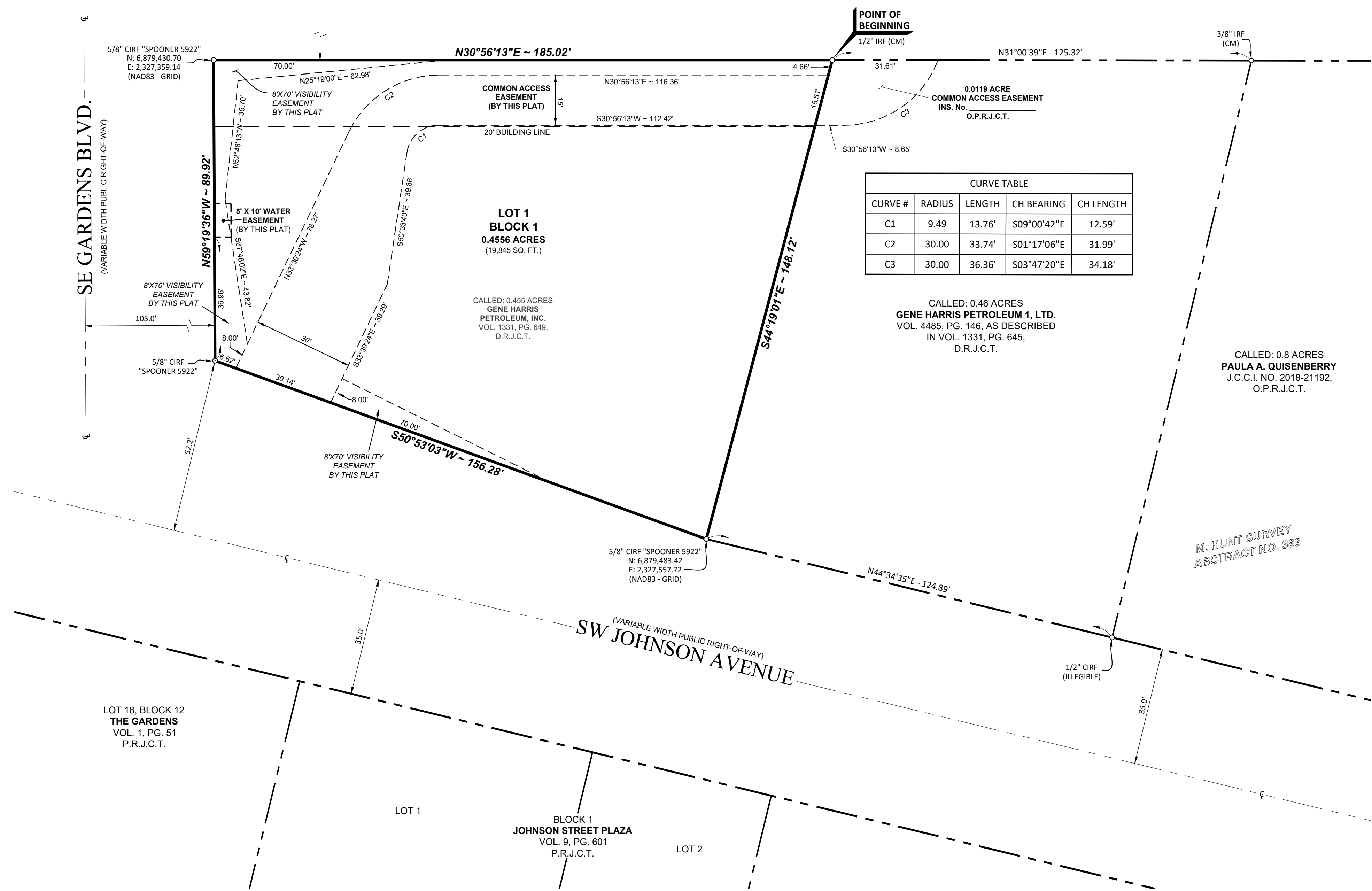
Lidon Pearce, CNU-A, AICP
Principal Planner
lpearce@burlesontx.com
817-426-9649



**Gene Harris Addition
Final Plat
Case 24-275**



SOUTHWEST WILSHIRE BOULEVARD (CALLED 160' WIDE PUBLIC RIGHT-OF-WAY) STATE HIGHWAY 174



CURVE TABLE with columns: CURVE #, RADIUS, LENGTH, CH BEARING, CH LENGTH. Rows C1, C2, C3.

CALLED: 0.46 ACRES GENE HARRIS PETROLEUM 1, LTD. VOL. 4485, PG. 146, AS DESCRIBED IN VOL. 1331, PG. 645, D.R.J.C.T.

CALLED: 0.8 ACRES PAULA A. QUISENBERRY J.C.C.I. NO. 2018-21192, O.P.R.J.C.T.

STATE OF TEXAS § COUNTY OF JOHNSON §

WHEREAS GENE HARRIS PETROLEUM, INC. is the sole owner of a 0.4556 acre tract of land located in the M. Hunt Survey, Abstract No. 383, City of Burleson, Johnson County, Texas, said 0.4556 acre tract of land being all of a called 0.455 acre tract of land conveyed to GENE HARRIS PETROLEUM, INC., by deed thereof filed for record in Volume 1331, Page 649, Deed Records, Johnson County, Texas (D.R.J.C.T.), said 0.4556 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found (Controlling Monument) at the north property corner of the said 0.455 acre tract, same being the west property corner of a called 0.46 acre tract of land conveyed to Gene Harris Petroleum 1, LTD., by deed thereof filed for record in Volume 4485, Page 146, D.R.J.C.T., as described in the deed filed for record in Volume 1331, Page 645, D.R.J.C.T., and being on the easterly right-of-way line of SW Wilshire Boulevard (being a called 160 feet wide public right-of-way), from which a 3/8 inch iron rod found at the north property corner of the said 0.46 acre tract bears North 31°00'39" East, a distance of 125.32 feet;

THENCE South 44°19'01" East, along the northeast property line of the said 0.455 acre tract and along the southwest property line of the said 0.46 acre tract, a distance of 148.12 to a 5/8 inch iron rod with a cap stamped "SPOONER" found at the east property corner of the said 0.455 acre tract, same being the south property corner of the said 0.46 acre tract, and being on the westerly right-of-way line of SW Johnson Avenue (being a variable width public right-of-way), from which a 1/2 inch iron rod with an illegible cap found (Controlling Monument) at the east property corner of the said 0.46 acre tract bears North 44°34'35" East, a distance of 124.89 feet;

THENCE South 50°53'03" West, along the east property line of the said 0.455 acre tract and along the said west right-of-way line, a distance of 156.28 feet to a 5/8 inch iron rod with a cap stamped "SPOONER" found at the south property corner of the said 0.455 acre tract;

THENCE North 59°19'36" West, along the south property line of the said 0.455 acre tract, a distance of 89.92 feet to a 5/8 inch iron rod with a cap stamped "SPOONER" found at the west property corner of the said 0.455 acre tract, same being on the aforementioned easterly right-of-way line of SW Wilshire Boulevard;

THENCE North 30°56'13" East, along the west property line of the said 0.455 acre tract and along the said east right-of-way line, a distance of 185.02 feet to the POINT OF BEGINNING.

The hereinabove described tract of land contains a computed area of 0.4556 acres (19,845 square feet) of land, more or less.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That GENE HARRIS PETROLEUM, INC., does hereby adopt this plat designating the herein before described property as LOT 1, BLOCK 1, GENE HARRIS ADDITION, an Addition to the City of Burleson, Johnson County, Texas, and does hereby dedicate to the public use forever all streets, right-of-ways, alleys and easement 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 which 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 platting ordinances, rules, regulations, and resolutions of the City of Burleson, Texas or Johnson County.

WITNESS MY HAND this the ___ day of ___, 2024. GENE HARRIS PETROLEUM, INC.

Duly Authorized Agent for Gene Harris Petroleum, Inc.

Printed Name and Title

STATE OF _____ §

COUNTY OF _____ §

BEFORE ME, the undersigned, 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 consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the ___ day of ___, 2024.

Notary Public, State of _____

Approved by the Planning and Zoning Commission of the Burleson, Texas This the ___ day of ___, 2024.

Chair of Planning & Zoning Commission

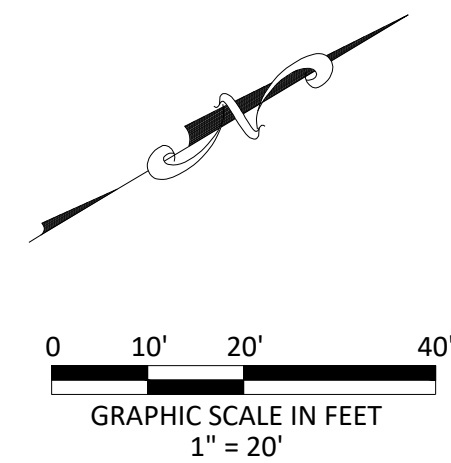
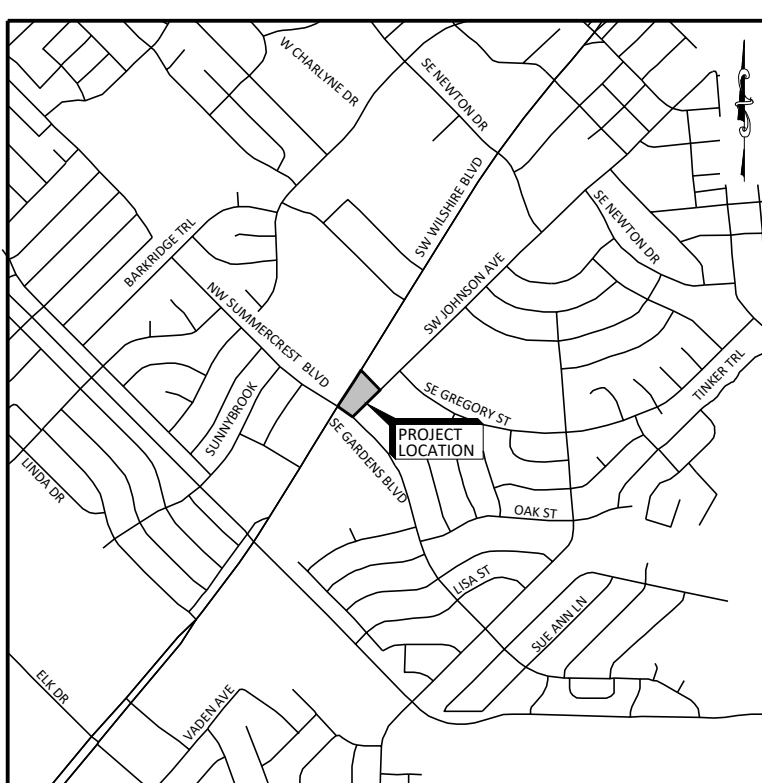
City Secretary

* STANDARD NOTES *

- 1. The City of Burleson will not be responsible for any damage, personal injury or loss of life or property caused by flooding or flood conditions.
2. Any public utility, including the City of Burleson, shall have the right to move and keep moved all or part of any buildings, fences, trees, shrubs, other growth 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 the 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 from all or part of its respective systems without the necessity at any time of procuring the permission of anyone.
3. All building setbacks are subject to the current City of Burleson Development Regulations.
4. Water Provider - The City of Burleson - (817) 426-9601.
5. Electric Provider - Oncor - (888) 313-6862
6. The City of Burleson reserves the right to require minimum finished floor elevations for any lot within this subdivision. The minimum elevation shown are based on the most current information available at the time the plat is filed and may be subject to change.
7. No improvements greater than 2 feet in height will be allowed within the visibility easement including but not limited to fences, walls, landscaping, signs and other improvements.
8. The Common Access Easement shown herein is designated for use by both the subject tract and the adjoining 0.46-acre tract to the east. No improvements or construction that could obstruct ingress and/or egress along this easement are permitted. The maintenance of the Common Access Easement is the responsibility of the property owners who utilize it.

* SURVEYOR'S GENERAL NOTES *

- The bearings shown hereon are referenced to the Texas Coordinate System of 1983, Texas North Central Zone 4202, and are based on the North American Datum of 1983, 2011 Adjustment.
According to the Flood Insurance Rate Map published by the Federal Emergency Management Agency, Department of Homeland Security and by graphic plotting only, the subject property appears to be located in Zone "X" (areas determined to be outside the 0.2 % annual chance floodplain), as shown on Map No. 48251C0065J; map revised December 4, 2012, for Johnson County and incorporated areas. This flood statement does not imply that the property and/or structures located in Zone "X" will be free from flooding or flood damage. This flood statement shall not create liability on the part of the Surveyor.
This plat was prepared with the benefit of a copy of the commitment for Title Insurance prepared by Chicago Title Insurance Company, G.F. No. CTDAL36-8000362200916K, Commitment No. 8000362200916, having an effective date of November 16, 2022 and issued November 22, 2022; and only reflects those easements, covenants, restrictions, and other matters of record listed in Schedule B of said Commitment. No other research for matters of record, not listed in said Commitment, was performed by Spooner & Associates, Inc.
Notice: Selling a portion of this addition by metes and bounds is a violation of city subdivision ordinance and state platting statutes and is subject to fines and withholding of utilities and building permits.
All property corners are monument with a 5/8 inch iron rod with a cap stamped "SPOONER 5922" unless shown otherwise hereon.
The purpose of this plat is to create a platted lot and necessary easements for commercial development.



- * LEGEND *
CIRF IRON ROD FOUND WITH CAP
IRF IRON ROD FOUND
(CM) CONTROLLING MONUMENT
VOL. VOLUME
PG. PAGE
J.C.C.I. NO. JOHNSON COUNTY CLERK'S INSTRUMENT NUMBER
D.R.J.C.T. DEED RECORDS, JOHNSON COUNTY, TEXAS
O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS JOHNSON COUNTY, TEXAS PLAT RECORDS, JOHNSON COUNTY, TEXAS
P.R.J.C.T. JOHNSON COUNTY, TEXAS PLAT RECORDS, JOHNSON COUNTY, TEXAS
¢ CENTERLINE
ESMT. EASEMENT

STATE OF TEXAS § COUNTY OF TARRANT §

THAT, I, Eric S. Spooner, a Registered Professional Land Surveyor, in the State of Texas, do hereby certify that this plat was prepared from an actual survey on the ground of the property and that all block monuments and corners were placed under my personal supervision, and in accordance with the platting regulations of the City of Burleson.

Surveyed on the ground during the month December, 2022. Revisited during the month of July, 2024.

Eric S. Spooner, R.P.L.S. Date Texas Registration No. 5922

THIS DOCUMENT IS PRELIMINARY FOR REVIEW PURPOSES ONLY ERIC S. SPOONER, R.P.L.S. October 22, 2024



FINAL PLAT GENE HARRIS ADDITION LOT 1, BLOCK 1 LOCATED IN THE M. HUNT SURVEY, ABSTRACT NO. 383 CITY OF BURLESON, JOHNSON COUNTY, TEXAS 1 LOT ~ 0.4556 ACRES OCTOBER ~ 2024

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services
FROM: Lidon Pearce, Principal Planner
MEETING: November 12, 2024

SUBJECT:

5933 FM 1902 (Case 24-297): Hold a public hearing and consider a recommendation of approval for an ordinance for a zoning change request from “A”, Agriculture to “GR” General Retail. *(Staff Contact: Lidon Pearce, Principal Planner)*

SUMMARY:

On September 30, 2024, an application for a zoning change request was submitted by Tommy Vilbig representing QuikTrip on behalf of Myles Mize (property owner) for a zoning change request of approximately 1.378 acres for a future QuikTrip convenience store with auto fuel sales.

DEVELOPMENT OVERVIEW:

The property is currently zoned A, Agriculture and will require platting and commercial site plan review and approvals if the zoning is approved by City Council. Traffic and drainage studies will occur with submittal of the plat and site plan. This request is to expand the potential development site for the QuikTrip to incorporate this parcel and the lot directly adjacent to the south which was rezoned to GR, General Retail on March 23, 2023 for development of a QuikTrip.

Zoning and Land Use Table

	Zoning	Use
Subject Site	A, Agricultural	Undeveloped
North	A, Agriculture	Residential
East	C, Commercial	Convenience Store
South	GR, General Retail	Future QuikTrip
West	C, Commercial	Storage facility

This site is designated in the Comprehensive Plan as Neighborhoods

This category is predominantly residential with traditional development patterns but should allow for a mix of densities, lot sizes, housing types, and styles. The primary uses in this category include single-family residences, including a range of densities from large, agricultural lots to suburban neighborhood lots. Supporting and complementary uses, such as open space, schools and other public or civic uses, and limited small-scale neighborhood commercial uses, are also encouraged in this category.

Staff has determined the requested zoning district and use align with the Comprehensive Plan based on the existing uses and proposed lot sizes.

Engineering:

Engineering civil construction reviews and platting 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):

N/A

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

ZC – 5933 FM 1902

Location:

- 5933 FM 1902
- 1.378 acres

Applicant:

Tommy Vilbig (QuikTrip)

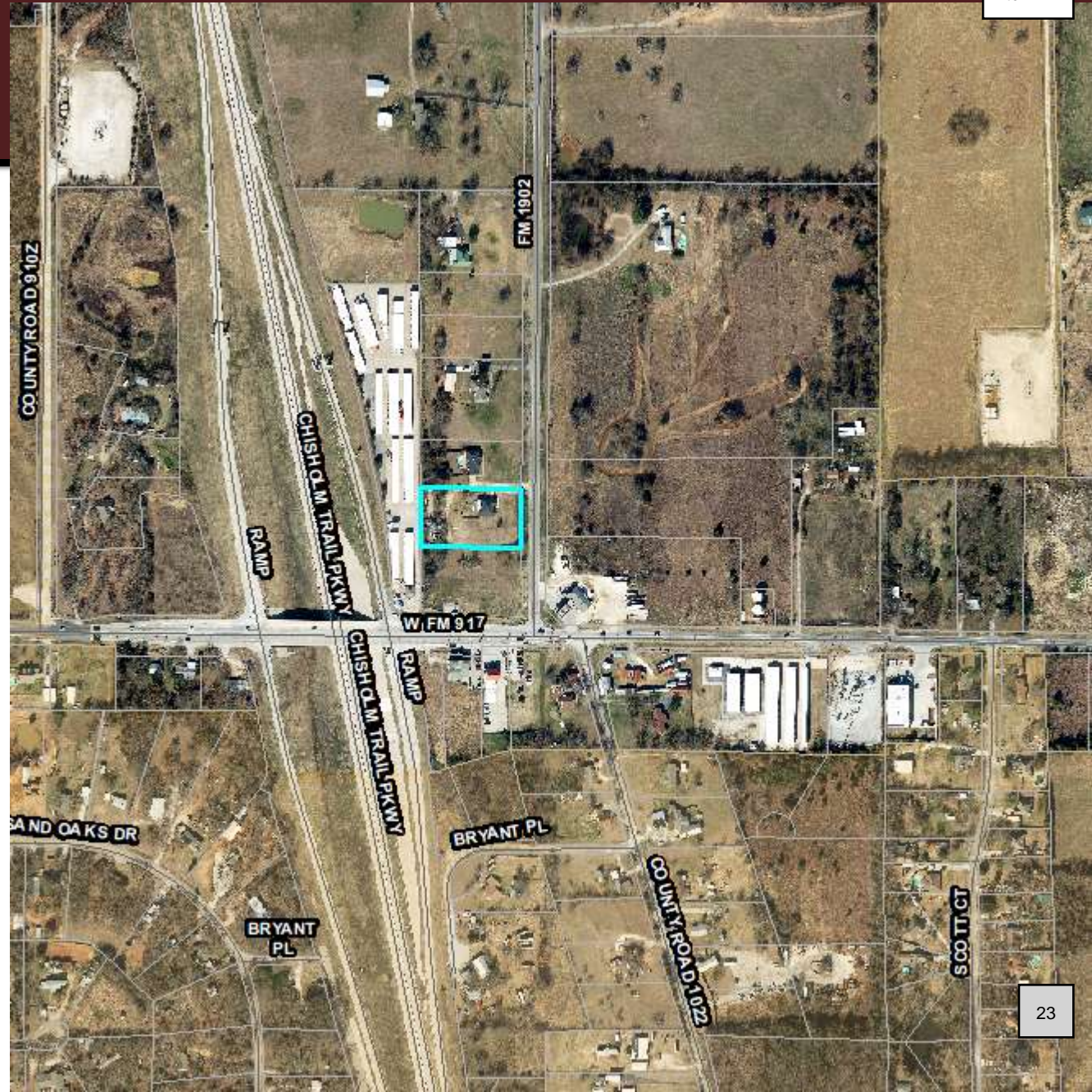
Myles Mize (Owner)

Item for approval:

Zoning Change from "A"

Agriculture to "GR" General

Retail (Case 24-297)

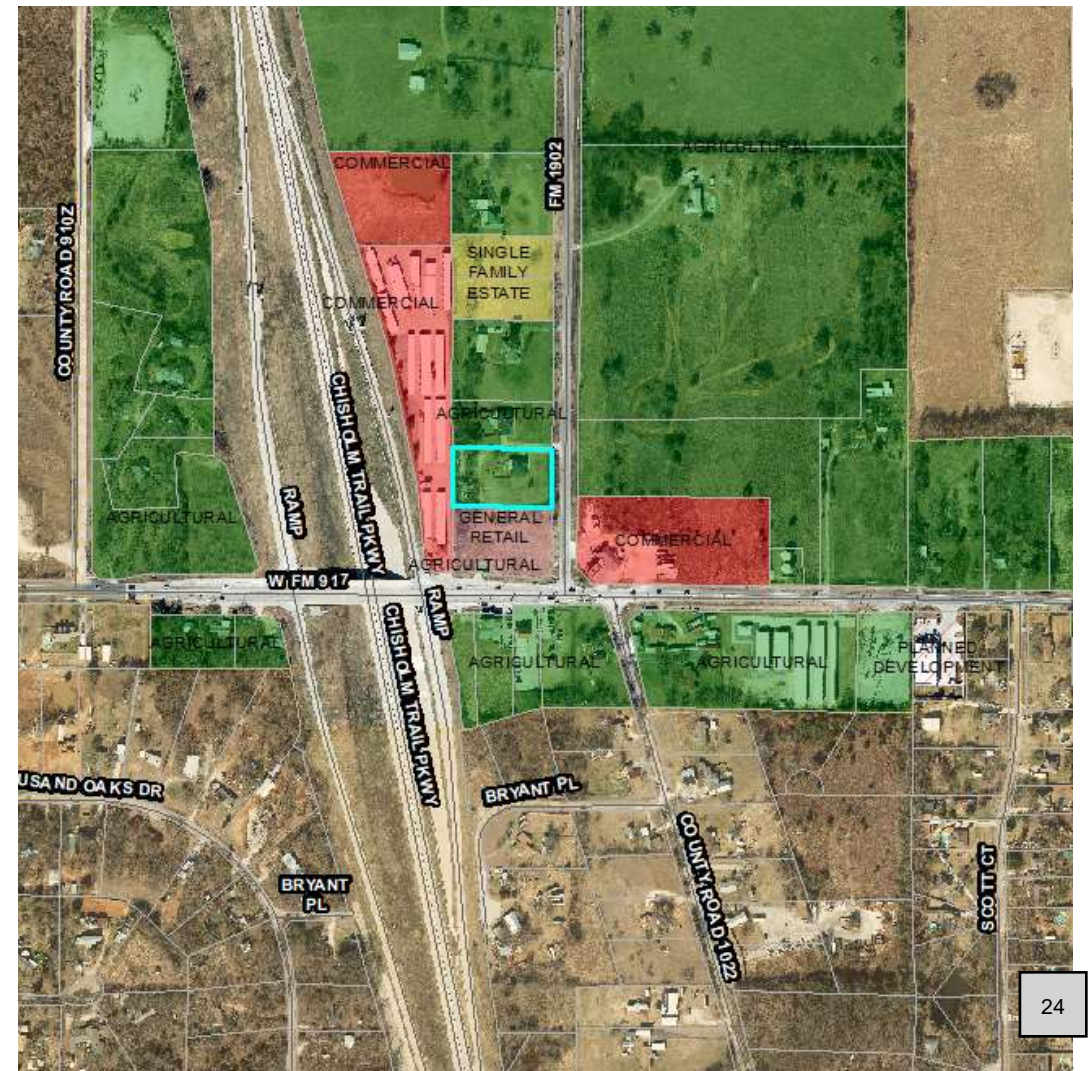
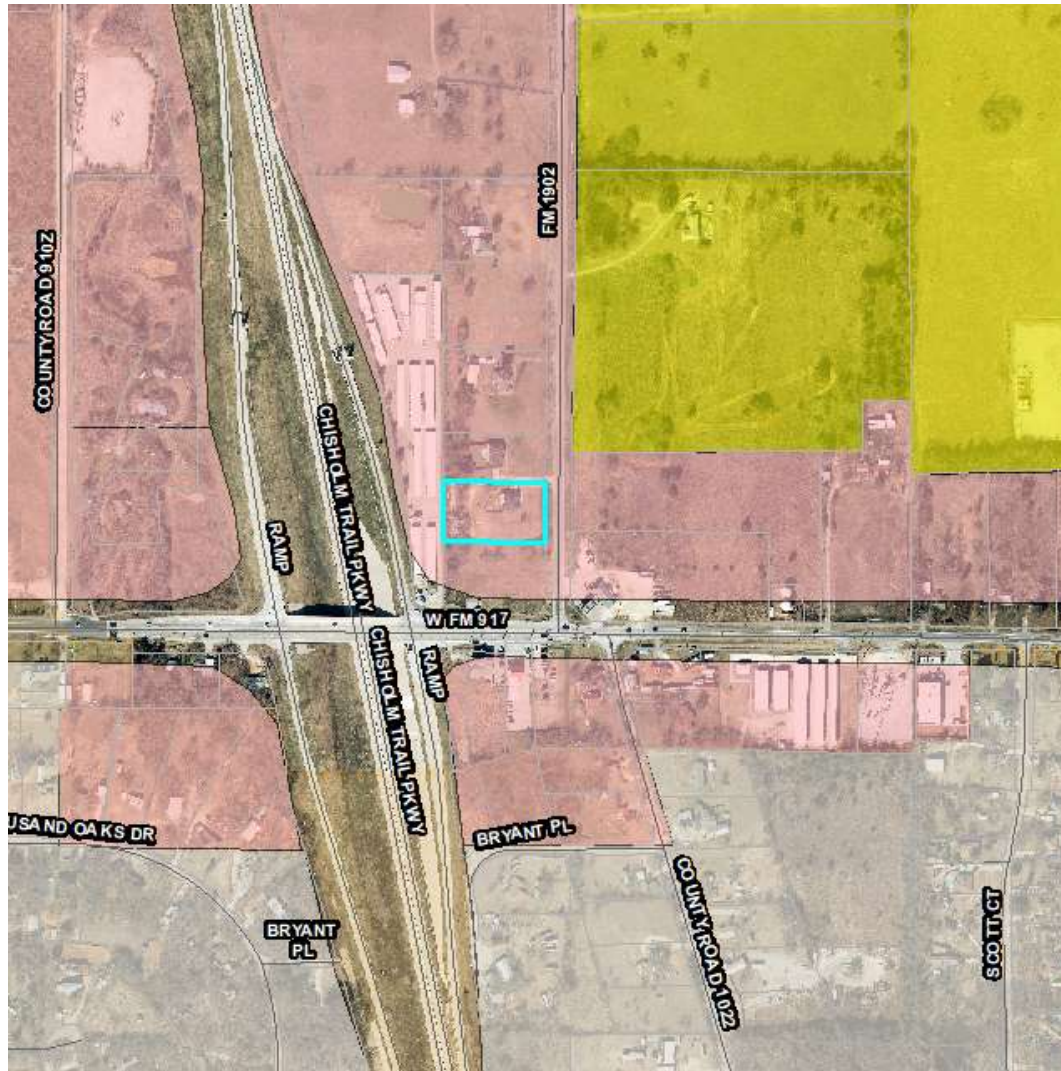


Comprehensive Plan

Chisholm Trail Corridor

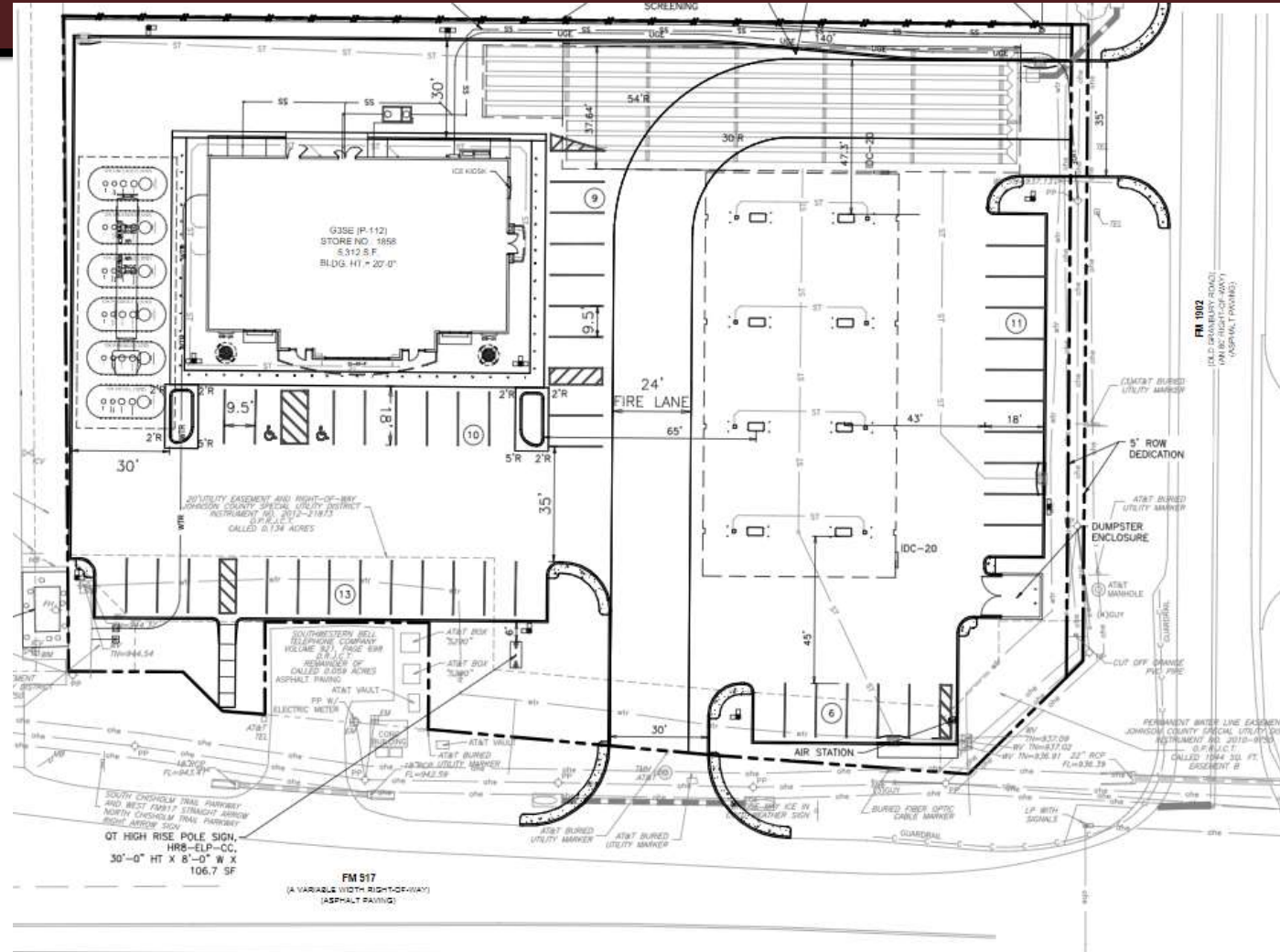
Zoning

A, Agriculture



ZC – 5933 FM 1902

This zoning request is to add additional land to the previously approved parcel (highlighted below) for the development of a QuikTrip.

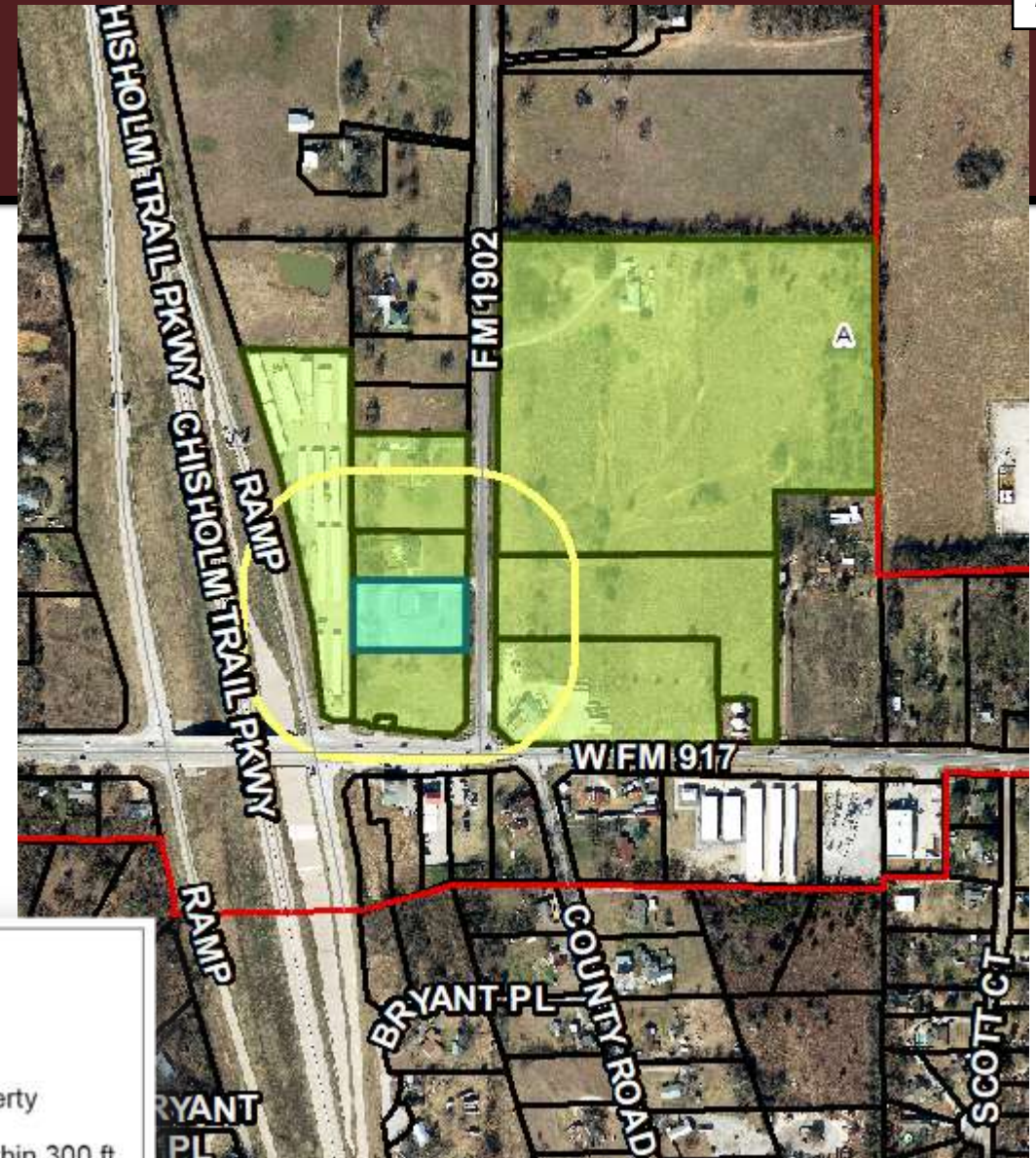


Conceptual (visual reference only)


ZC – 5933 FM 1902

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



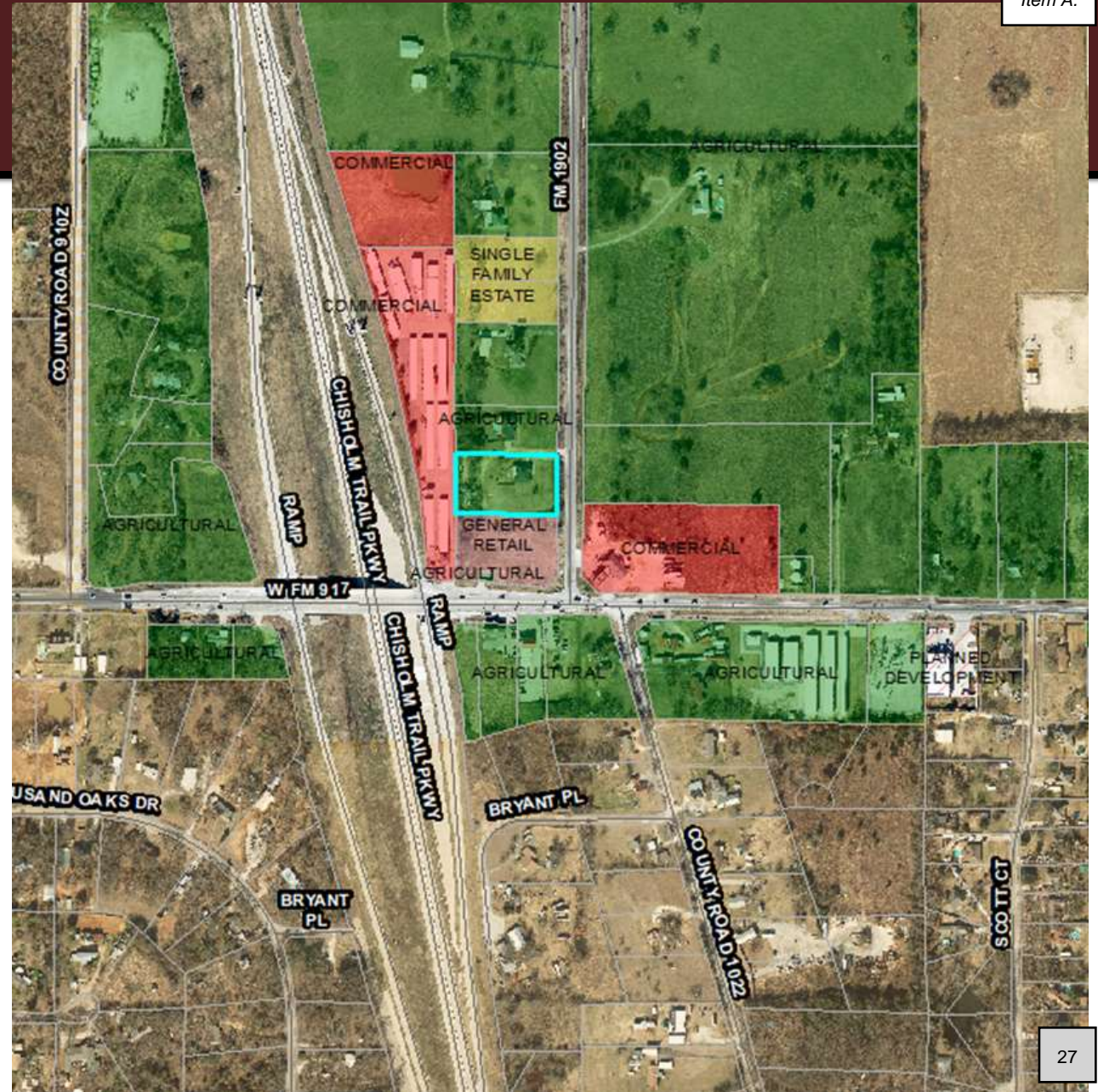
Legend

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

ZC – 5933 FM 1902

Staff's Recommendation

- Staff recommends approval of an ordinance for the zoning change request to “GR” General Retail
- Conforms with the Comprehensive Plan
- Compatible with adjacent uses and proximity to Chisholm Trail Pkwy



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 1.378 ACRES OF LAND SITUATED IN THE JOSEPH WEST SURVEY, ABSTRACT NO. 855, IN JOHNSON COUNTY, TEXAS AND BEING OF PORTION OF THAT CERTAIN 4.378 ACRE TRACT OF LAND AS CONVEYED TO D.L. SWENTIK BY DEED RECORDED IN VOLUME 2105 PAGE 427, REAL RECORDS, JOHNSON COUNTY, TEXAS (J.C.D.R.T.), JOHNSON COUNTY, TEXAS, FROM “A” AGRICULTURAL TO “GR” GENERAL RETAIL; 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 Myles Mize on September 30, 2024, under Case Number 24-297, 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 7 to 0 to recommend approval to the City Council of Burleson, Texas, that the hereinafter described property be rezoned from its classifications of Agricultural (A) to General Retail (GR); 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 **Agricultural (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
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 legal description attached as **Exhibit A**, by changing the zoning of said property from A, Agriculture district to the GR, General Retail zoning district for commercial development.

Section 2

The property shall be developed and used in accordance with the applicable provisions of the City of Burleson, Code of Ordinances.

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"

LEGAL DESCRIPTION:

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND IN THE JOSEPH WEST SURVEY, ABSTRACT NO. 855, IN JOHNSON COUNTY, TEXAS AND BEING OF PORTION OF THAT CERTAIN 4.378 ACRE TRACT OF LAND AS CONVEYED TO D.L. SWENTIK BY DEED RECORDED IN VOLUME 2105 PAGE 427, REAL RECORDS, JOHNSON COUNTY, TEXAS AND BEING MORE PARTICULARYR DESCRIBED BY MEETES AND BOUND AS FOLLOWS:

BEGINNING AT A 5/8 INCH STEEL REBAR FOUND FOR A CONER ON THE WEST LINE OF FARM TO MARKET HIGHWAY 1902 (80 FOOT RIGHT-OF-WAY) AND BEING THE SOUTHEAST CORNER OF SAID 4.378 ACRE TRACT;

THENCE NORTH 88 DEGREES 52 MINUTES 01 SECONDS WEST FOR A DISTANCE OF 312.76 FEET ALONG THE SOUTH LINE OF SAID 4.378 ACRE TRACT TO A 5/8 INCH STEEL REBAR FOUND FOR A CORNER BEING THE SOUTHWEST CORNER OF SAID 4.39 ACRE TRACT;

THENCE NORTH 00 DEGREES 14 MINUTES 11 SECONDS EAST FOR A DISTANCE OF 190.93 FEET ALONG THE WEST LINE OF SAID 4.378 ACRE TRACT TO A 1/2 INCH STEEL REBAR SET FOR A CORNER;

THENCE SOUTH 88 DEGREES 52 MINUTES 01 SECONDS EAST FOR A DISTANCE OF 315.99 FEET TO A 1/2 INCH STEEL REBAR SET FOR A CORNER ON THE WEST LINE OF FARM TO MARKET HIGHWAY 1902 (80 FOOT RIGHT-OF-WAY) AND THE EAST LINE OF SAID 4.378 ACRE TRACT;

THENCE SOUTH 01 DEGREES 12 MINUTES 18 SECONDS WEST FOR A DISTANCE OF 190.94 FEET ALONG SAID EAST AND WEST LINES TO THE POINT OF BEGINNING AND CONTAINING 1.378 ACRES OF LAND

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services
FROM: Lidon Pearce, Principal Planner
MEETING: November 12, 2024

SUBJECT:

2152 SW Wilshire (Case 23-370): Hold a public hearing and consider a recommendation of disapproval for an ordinance for a zoning change request from "A", Agriculture to "PD" Planned Development for Urban Wilshire Village; a townhome and retail development. *(Staff Contact: Lidon Pearce, Principal Planner)*

SUMMARY:

On November 27, 2023, an application for a zoning change request was submitted by Rob Orr representing Burleson Premier Real Estate Investments LLC (property owner) for a zoning change request of approximately 41.54 acres for a future townhome and retail development.

DEVELOPMENT OVERVIEW:

The property is currently zoned A, Agriculture and will require platting and commercial site plan review and approvals if the zoning is approved by City Council. Traffic and drainage studies would occur with submittal of the plat and site plan. This request is to develop several retail pad sites (12.02 acres) along the frontage of SW Wilshire, with two town home developments behind the retail component. The townhome components would include a build-to-own (10.32 acres) and build-to-rent community (18.88 acres) with a requested max density of 12 dwelling units per acre.

Zoning and Land Use Table

	Zoning	Use
Subject Site	A, Agricultural	Undeveloped
North	A, Agriculture	Residential
East	SP, Site Plan Zoning	Tractor Supply
South	A, Agriculture	Residential
West	A, Agriculture	Residential

This site is designated in the Comprehensive Plan as Community Commercial

Community Commercial is generally located along major streets and at significant nodes. This category is intended to provide suitable areas for the development of light to medium intensity commercial uses to support surrounding urban development. Landscaping and urban design should enhance visitors' experiences, separate sidewalks from major roads and define pedestrian routes to promote connectivity and walkability. Cross-access between developments and visibility from adjacent streets are important components to the success of developments in these areas.

Staff has determined the requested zoning district and use partially aligns with the Comprehensive Plan. However, without phasing to require a portion of the retail component to be built prior to the townhomes; staff recommends disapproval of the request as currently requested by the applicant.

Engineering:

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

RECOMMENDATION:

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

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

N/A

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

ZC – 2152 SW Wilshire

Location:

- 2152 SW Wilshire
- 41.54 acres

Applicant:

Rob Orr (Burleson Premier Real Estate Investments, LLC)

Item for approval:

Zoning Change from "A" Agriculture to "PD" Planned Development (Case 23-370)



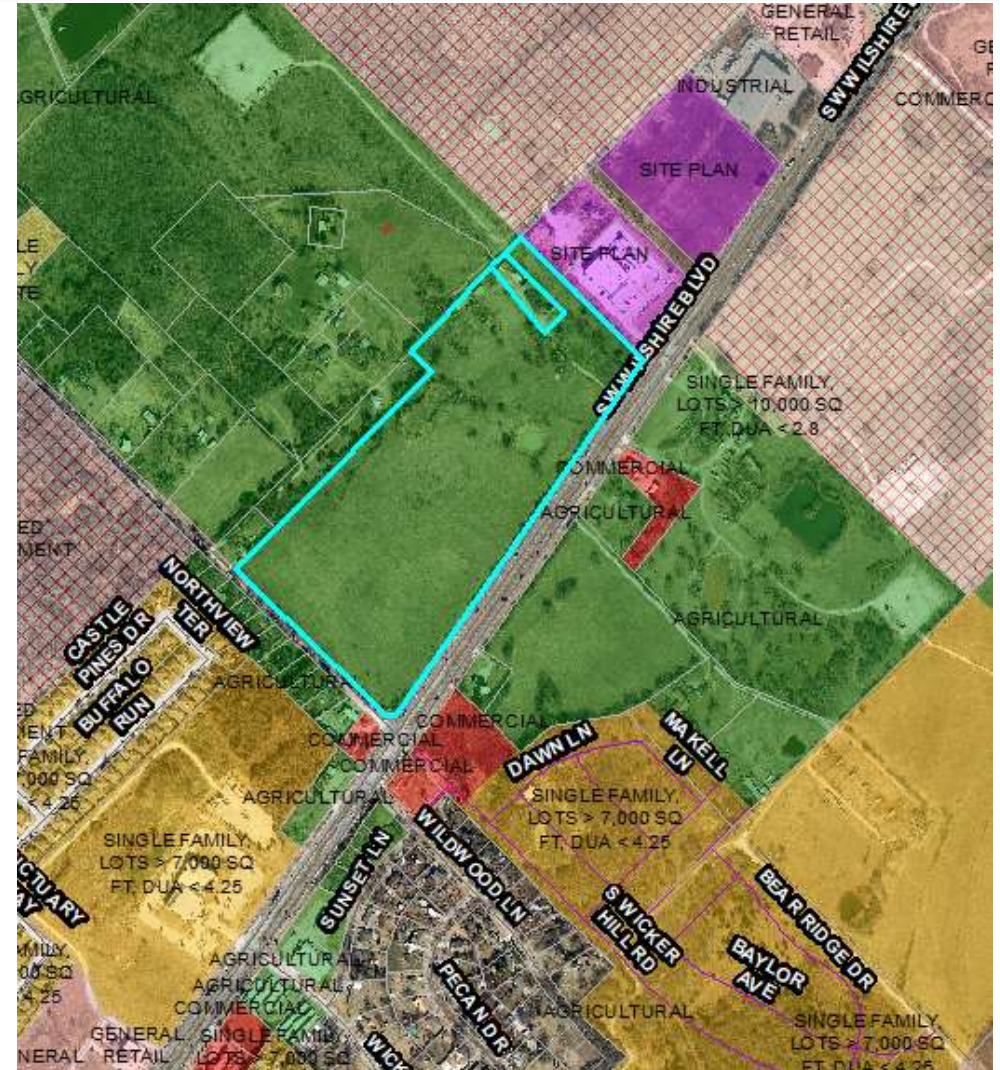
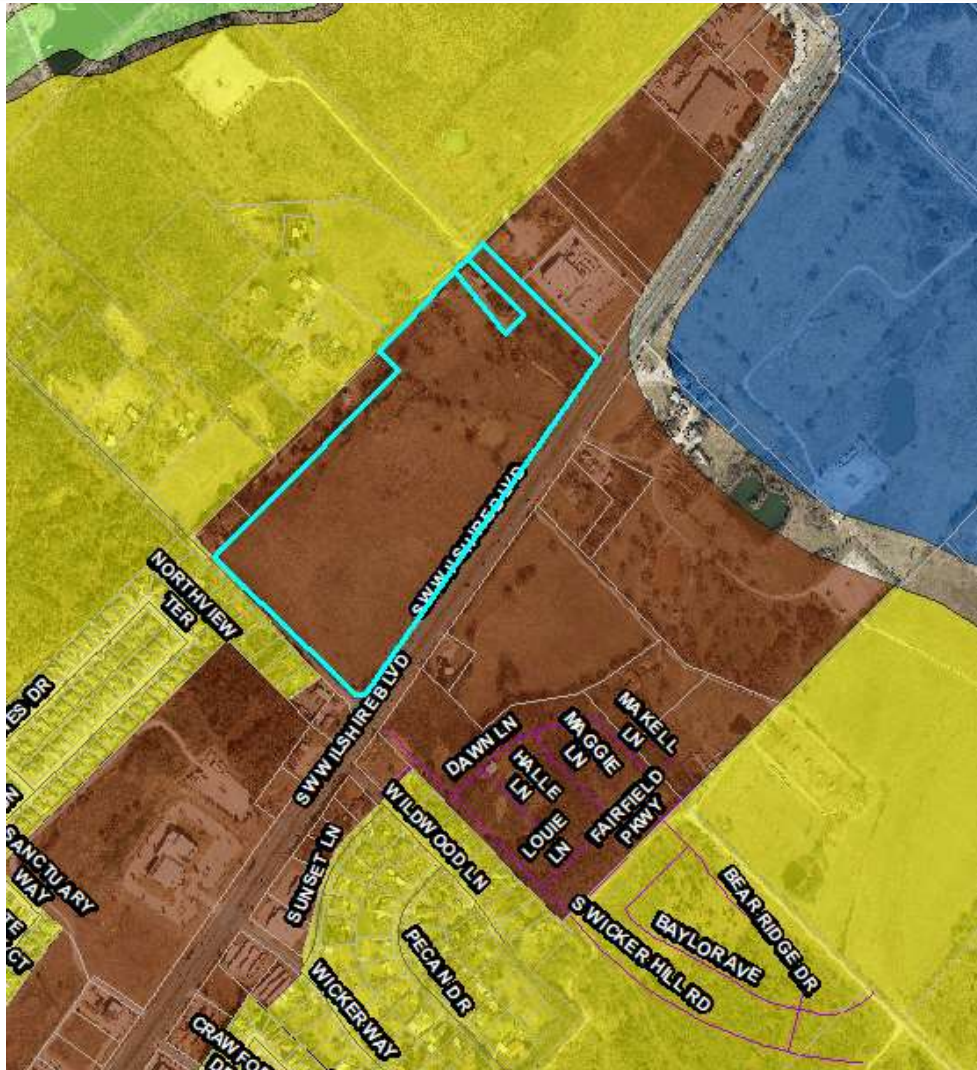
Comprehensive Plan

Community Commercial

Zoning

A, Agriculture

Item B.

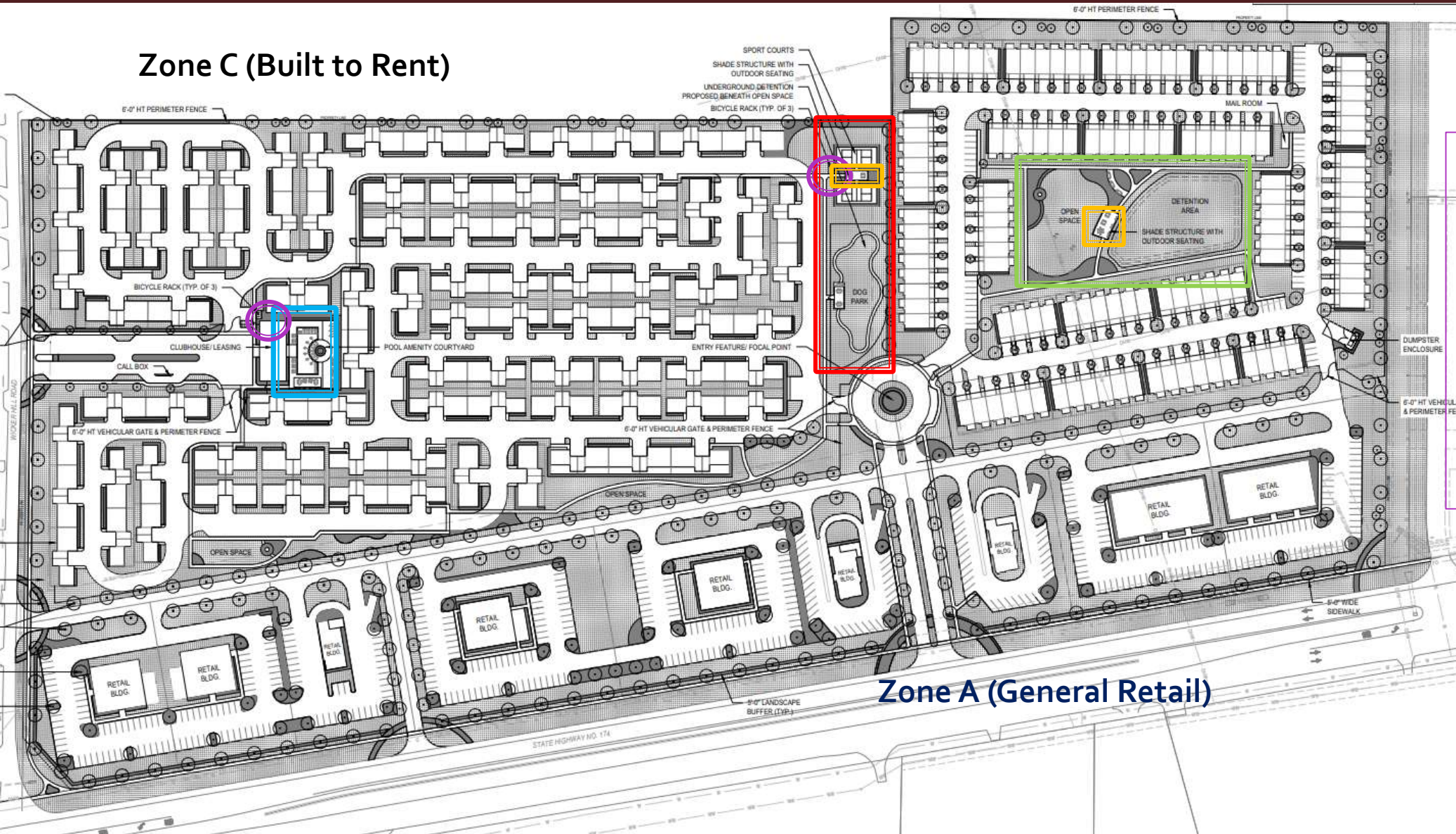


ZC – 2152 SW Wilshire

Item B.

Zone B (Built to Own)

Zone C (Built to Rent)



Amenities proposed:

- Pool area
- Dog Park
- Sport Courts
- Walking trails
- Shade complex
- Bicycle racks
- Open Space

ZC – 2152 SW Wilshire

Zone A – General Retail	Zone B – Townhomes	Zone C - Townhomes
12.02 Acres	10.32 Acres	18.88 Acres
7 stand alone pad sites	Individually platted lots	One lot; built-to-rent
Base zoning GR, General Retail	Base zoning SFA, Single-Family Attached (maximum height 3 stories)	Base zoning SFA, Single-Family Attached (limited to 1 story in height)
Gas Station allowed by-right	Max density 12 units per acre	
Constructed as retailers make commitments – no phasing tied to residential components	Up to 8 units connected – minimum lot width 20 feet	Up to 8 units connected – maximum complex length 270 ft
	Minimum lot size 1500 sq. ft	Minimum living area 600 sq. ft.
	2.25 parking spaces per unit, an enclosed garage counts as 1 space	2.25 parking spaces per unit, an enclosed garage counts as 1 space
	Amenities shown on site plan complete prior to 75% of units being ready for occupancy	Amenities shown on site plan complete prior to 75% of units being ready for occupancy

ZC – 2152 SW Wilshire

Item B.



Zone B:
Built-to-own
examples





FRONT ELEVATION SCALE: 1/8" = 1'-0"



SIDE ELEVATION SCALE: 1/8" = 1'-0"

Zone C: Built-to-Rent examples



REAR ELEVATION SCALE: 1/8" = 1'-0"

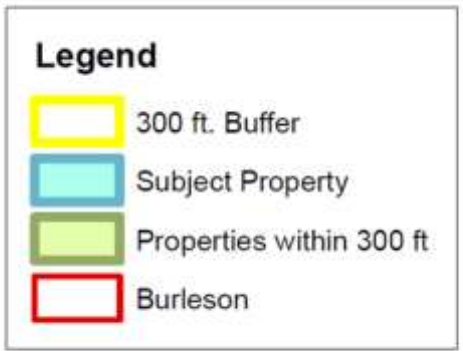


SIDE ELEVATION SCALE: 1/8" = 1'-0"

ZC – 2152 SW Wilshire

Public Hearing Notice

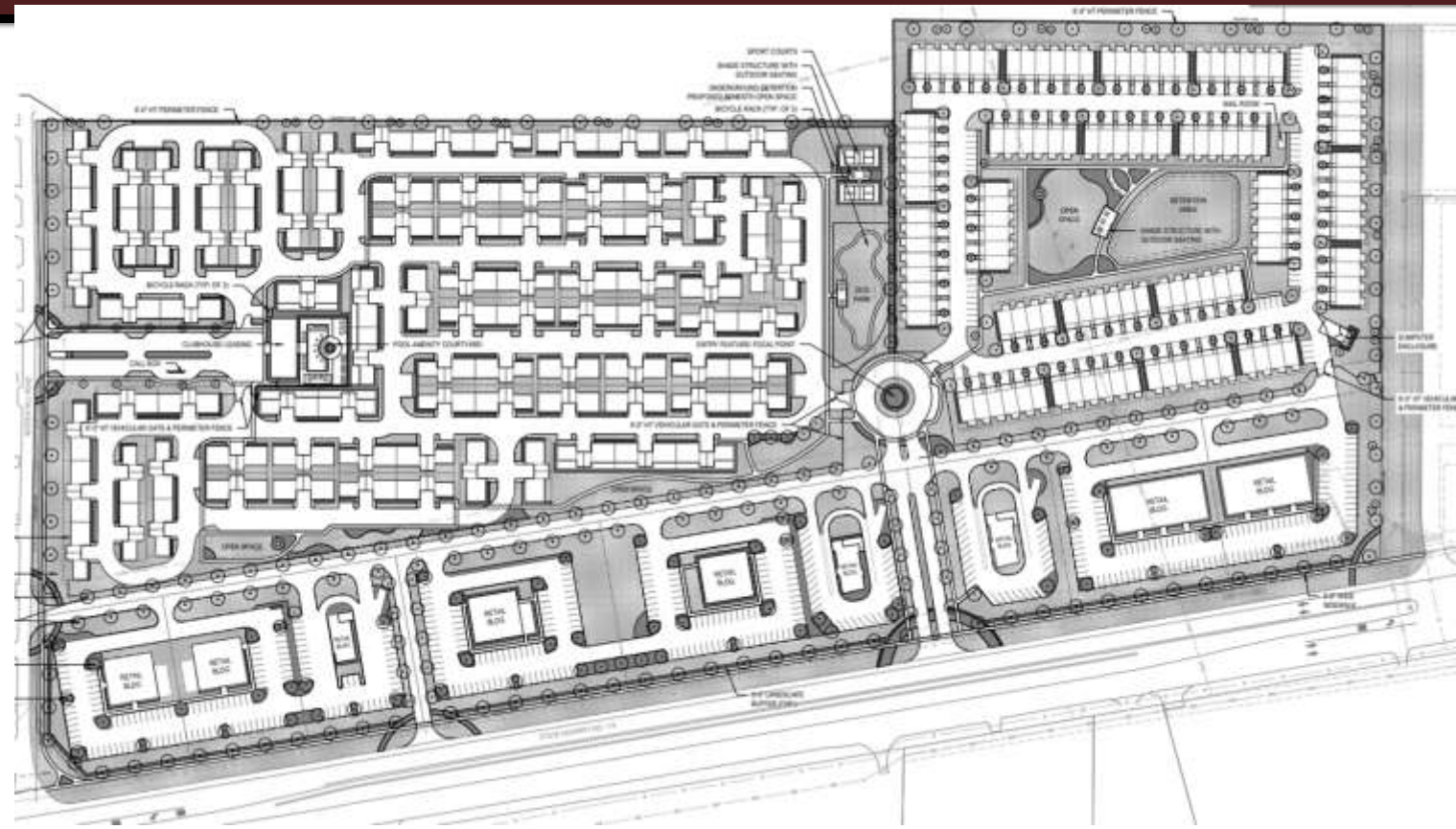
- Public notices were mailed to property owners (based on current JCAD records) within 300 feet of subject property
- Published in newspaper
- Signs Posted on the property



ZC – 2152 SW Wilshire

Staff's Recommendation

- Staff recommends disapproval of an ordinance for the zoning change request to “PD” Planned Development
- Does not completely conform with the Comprehensive Plan
- No guarantee or phasing required to assure the retail component will be developed; which is the only component that meets the Comprehensive Plan



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 41.50 ACRE TRACT OR PARCEL OF LAND SITUATED IN THE H.G. CATLETT SURVEY, ABSTRACT NO. 179, JOHNSON COUNTY, TEXAS, AND BEING PART OF THAT CERTAIN CALLED 41.54 ACRE TRACT OF LAND CONVEYED TO BURLESON PREMIERE REAL ESTATE INVESTMENTS, LP., AS RECORDED IN VOLUME 3963, PAGE 796 OFFICIAL PUBLIC RECORDS, JOHNSON COUNTY TEXAS, FROM A, AGRICULTURE, 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 **Rob Orr** on **November 27, 2023**, under **Case Number 23-370**, 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 XXX to the City Council of Burleson, Texas, that the hereinafter described property be rezoned from its classifications of **Agricultural (A)** 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 **Agricultural (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
MAP AND ZONING AMENDMENT**

The Official Zoning Map is hereby amended insofar as it relates to certain land described as approximately 41.50 acre tract or parcel of land situated in the H.G. Catlett survey, Abstract No. 179, Johnson County, Texas, and being part of that certain called 41.54 acre tract of land conveyed to Burleson Premier Real Estate Investments, LP., by special warranty deed, as recorded in Volume 3963, Page 796, official public records, Johnson County Texas, included on Exhibit A, from Agriculture to PD, Planned Development District which are incorporated herein as Exhibit B, being attached hereto and incorporated herein by reference for all purposes.

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 & LEGALITY:

Amanda Campos, City Secretary

E. Allen Taylor, Jr., City Attorney

Exhibit A
Property Description

BEING a 41.54 acre tract of land situated in the H.G. Catlett Survey, Abstract Number 179, Johnson County, Texas, in the City of Burleson, and being all of that tract of land described in the Warranty Deed to Burleson Premier Real Estate Investments, L.P., as recorded in Volume 3963, Page 796, Deed Records, Johnson County, Texas, and being more particularly described as follows:

BEGINNING at a found 3 inch steel post in concrete, being in the intersection of the south right-of-way line of a 35 foot public Right-of-way dedicated by the Southcliff Addition Plat, as recorded in Drawer K, Volume 11, Page 950, Plat Records, Johnson County, Texas, and the northwest right-of-way line of SW Wilshire Boulevard (State Highway 174) (having a variable width public right-of-way), and also being the easternmost northeast corner of said Burleson Premier Real Estate Investments, L.P. tract;

THENCE South 34° 58' 54" West a distance of 1,989.38 feet, along said northwest right-of-way line, to a found 1/2 inch iron rod with a cap stamped "Fort Worth Surveying", being in the intersection of said northwest right-of-way line and the northeast right-of-way line of Wicker Hill Road (County Road 1021) (having a variable width public right-of-way);

THENCE North 87° 48' 36" West, along said northeast right-of-way line, a distance of 106.02 feet to a found disturbed concrete monument;

THENCE North 44° 44' 07" West, continuing along said northeast right-of-way line, a distance of 621.46 feet to a found 5/8 inch iron rod;

THENCE North 46° 58' 16" West, continuing along said northeast right-of-way line, a distance of 299.56 feet to a found 5/8 inch iron rod with cap, being in the south corner of a tract described by deed to Charles W. O'Neal, as recorded in Volume 3068, Page 298, Deed Records, Johnson County, Texas;

THENCE North 44° 39' 42" East, leaving said northeast right-of-way line, a distance of 1,297.79 feet to a found 1/2 inch iron rod, being in the northeast corner of a tract described by deed to Elvia Smith, as recorded in Document No. 2022-31449, Deed Records, Johnson County, Texas;

THENCE North 45° 40' 32" West, along the north line of said Elvia Smith tract, a distance of 152.64 feet to a found 5/8 inch iron rod, being in the northwest corner of said Elvia Smith tract and being in the west line of a tract described by deed to Juanita Underwood Life Estate, as recorded in Document No. 2022-12838, Deed Records, Johnson County, Texas;

THENCE North 45° 10' 53" East, leaving said north line, a distance of 743.13 feet to a found 5/8 inch iron rod, being south right-of-way line of said 35 foot public Right-of-way dedicated by the Southcliff Addition Plat;

THENCE South 44° 57' 35" East, along said south right-of-way line, a distance of 810.47 feet to the POINT OF BEGINNING and containing 1,809,461 square feet, 41.54 acres of land, more or less.

Exhibit B – Development Standards

Section 1. Purpose and Intent

The purpose and intent of this zoning ordinance is to establish appropriate restrictions and development controls necessary to ensure that the future horizontal mixed-use development of the subject property maintains compatibility with the surrounding development and zoning.

Section 2. 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.

B. Base Zoning

Any zoning, land use requirement or restriction shall conform to those requirements and/or standards of the base zoning detailed in the Site Plan Exhibit.

C. Concept Plans.

Development of any property within the boundaries of this Planned Development District shall generally conform with the Site Plan Exhibit. If there is any conflict between the text of this ordinance and the concept plan, the text of this article controls.

D. Detailed Zone Standards

1. Zone A – General Retail District

- a. **Base Zoning.** Zone A base zoning is the General Retail District.
- b. **Permitted Uses.** In addition to the uses permitted in the General Retail District a Convenience Store with Fuel Sales is allowed by right.
- c. **The land area of Zone A is 12.02 acres.**
- d. **Phasing .** This district will consist of seven stand alone retail pad sites and will be constructed as retailers make commitments.

2. Zone B – SFR-AT Single-Family Attached Townhomes

- a. Units shall conform to the attached concept elevations.
- b. **Individually Platted Lots.** Each residential structure must be on an individually platted lot.
- c. **The land area of Zone B is 10.32 acres.**
- d. **Base Zoning.** Zone B base zoning is SFA Single-Family Attached Townhomes.
- e. **General Description.** The SFR-AT single family attached dwelling district is established to provide adequate space for medium-density, single-family attached type residential

development.

- f. **Underlying Standards.** This district will adhere to the SFA zoning district as established by the City of Burleson Zoning Ordinance, Section 58, unless specifically altered in this section.
- g. **Lot Dimension Calculation.**
 - i. The average width of a lot may be calculated as the total width of all platted lots of the one-family attached dwelling complex contained within that block divided by the number of dwellings in the complex.
 - ii. The area of a lot may be calculated as the total square footage of all platted lots of the one-family attached dwelling complex divided by the number of dwellings in the complex for each block.
 - iii. The maximum width of a one-family attached dwelling complex utilizing this calculation shall be limited to 180 feet. The maximum number of dwellings shall be limited to eight (8) in one contiguous building.
- h. **SFR-AT Single-Family Attached Townhomes Standards.** Development complying with SFR-AT Single-Family Attached Townhomes standards shall comply with the following standards:
 - i. **Density.** The maximum residential density is 12 dwelling units per acre.
 - ii. **Living Area.** The minimum living area per unit is 600 square feet.
 - iii. **Lot Size.** The minimum lot size is 1,500 square feet.
 - iv. **Lot Coverage.** The maximum coverage per lot is 85 percent.
 - v. **Lot Width.** The minimum lot width is 20 feet.
 - vi. **Lot Depth.** The minimum depth allowed per lot is 75 feet
 - vii. **Units per Building.** Maximum number of units per building is 8 units.
 - viii. **Height.** The maximum building height is 40 feet; maximum 3 stories.
- i. **Yard Area Requirements**
 - i. Minimum front yard setback – 5 feet.
 - ii. Minimum side yard setback (attached units) – None.
 - iii. Minimum side yard setback (between structures) – 5 feet minimum between structures
 - iv. Minimum side yard (exterior lot street or alley corners) – 5 feet.
 - v. Minimum rear yard setback – 5 feet.

- vi. Front yard projections into setback – 2 feet.
 - vii. Rear yard projections into setback – 2 feet.
 - viii. Side yard projections into setback – 2 feet.
 - ix. Courtyard within front yard setback will be permitted to within 0 feet or front property line.
 - x. Fencing within front yard setbacks will be permitted to within 5 feet of property line. Front yard fencing on interior lots will be 50% opaque not to exceed 48" in height (i.e., wrought iron or picket fences).
 - xi. Privacy fencing of lots along the perimeter of the development may not exceed 6 feet in height.
 - xii. Accessory trellis within front yard setback permitted to within 2 feet of property line.
 - xiii. Minimum sidewalk width will be 3 feet.
- j. **Roof Pitch.** A minimum roof pitch of 4:12 will be allowed. No minimum pitch is required for accent or dormer roofs.
- k. **Landscaping.** An ornamental tree (30 gallon) will be provided at a minimum of one (1) per cluster of units (2 attached dwelling units) and 1 canopy tree per six (6) dwelling units.
- l. **Amenity Area.** Amenity areas must be built as shown on the attached landscape and is required and must include, passive open space, walking trails and a shade structure.
- m. **Lighting:** Pedestrian poles on major drives inside the property – every 200 feet; bollard lights – min. 2 per every interior sidewalk.
- i. Street and pedestrian lighting shall be of a decorative nature and have a black powder coat finish and must be raised at least nine inches above finished grade on a concrete pedestal.
- n. **Off-Street Parking:** 2 spaces per dwelling unit will be provided. These spaces can be tandem spaces with one space in an enclosed garage and one space directly in front of the garage. In addition, an additional 0.25 guest parking spaces are required for each unit.
- o. **Anti-Monotony Standards**
- i. **Interior lots:** No two of the same elevation shall exist on the same side of any street. This does not include the attached structure(s) sharing the same elevation.
 - ii. **Perimeter lots:** No structure shall have the same elevation within 4 structures of any unit. This does not include the attached structure(s) sharing the same elevation.
 - iii. Anti-monotony can be accomplished by having adjacent structures of different stories and/or utilizing different elevations / architectural styles or by utilizing different primary façade materials that comprise no less than 50 percent for

each adjacent structure (i.e., brick or stone)

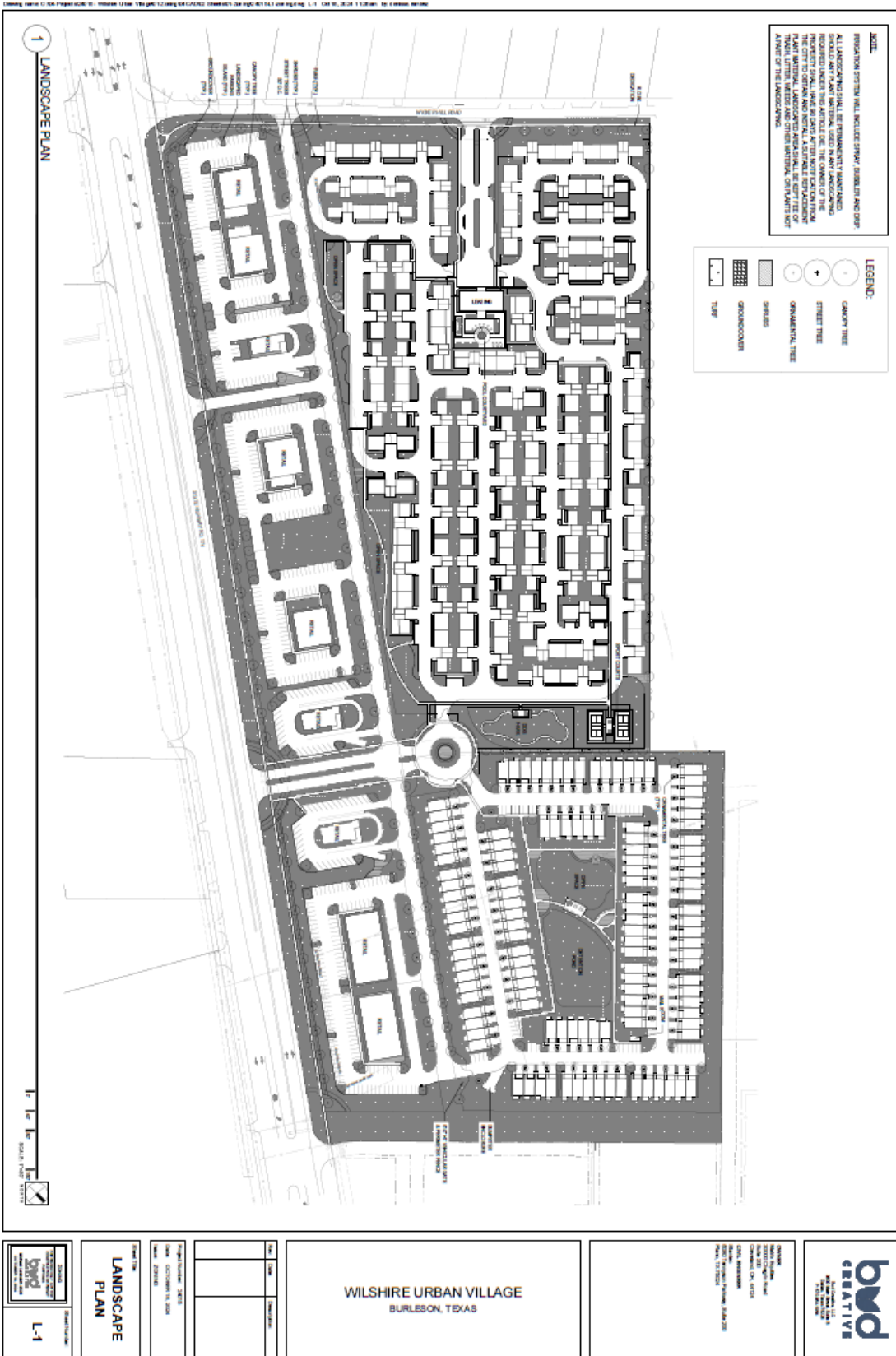
- p. **Phasing** . All amenities detailed in Section I above, must be completed once 75% of the dwelling units are ready to be occupied.

3. Zone C – BTR For Rent (BTR)

- a. Units shall conform to the attached concept elevations.
- b. The land area for Zone C is 18.88 acres.
- c. **Base Zoning.** Zone C base zoning is SF-A, but residential structures do not have to be individually plated lots.
- d. **General Description.** The BTR- multifamily dwelling district is established to provide adequate space for low-density, multi-family type residential development.
- e. **Underlying Standards.** This district will adhere to the SFA zoning district as established by the City of Burleson Zoning Ordinance, Section 58, unless specifically altered in this section.
- f. **Lot Dimension Calculation.**
 - i. All dwelling units in this district can be on a single parcel.
 - ii. The maximum width of a one-family attached dwelling complex shall be limited to 270 feet. The maximum number of dwellings shall be limited to eight (8).
- g. **BTR - Standards.** Development complying with BTR standards shall comply with the following standards:
 - i. **Density.** The maximum residential density is 12 dwelling units per acre.
 - ii. **Living Area.** The minimum living area per unit is 600 square feet.
 - iii. **Units per Building.** Maximum number of units per building is 8 units.
 - iv. **Lot Coverage.** The maximum lot coverage is 75%.
 - v. **Height.** The maximum building height is 30 feet; maximum 1 story.
- h. **Yard Area Requirements**
 - i. Minimum front yard setback – 5 feet.
 - ii. Minimum side yard setback (attached units) – 0 feet.
 - iii. Minimum side yard setback (between structures) – 5 feet minimum between structures
 - iv. Minimum side yard (exterior lot street or alley corners) – 5 feet.
 - v. Minimum rear yard setback – 5 feet.
 - vi. Front yard projections into setback – 2 feet.
 - vii. Rear yard projections into setback – 2 feet.
 - viii. Side yard projections into setback – 2 feet.

- ix. Courtyard within front yard setback will be permitted to within 2 feet of the front property line.
 - x. Fencing within front yard setbacks will be permitted to within 5 feet of property line. Front yard fencing on interior lots will be 50% opaque not to exceed 48" in height (i.e., wrought iron or picket fences).
 - xi. Privacy fencing of lots along the perimeter of the development may not exceed 6 feet in height.
 - xii. Accessory trellis within front yard setback permitted to within 2 feet of property line.
 - xiii. Minimum sidewalk width will be 3 feet.
- i. **Roof Pitch.** A minimum roof pitch of 4:12 will be allowed. No minimum pitch is required for accent or dormer roofs.
 - j. **Landscaping.** Not less than 10 % of the gross site area shall be devoted to open space, including required yards and buffer areas. Open space shall not include areas covered by structures, parking areas driveways, and internal streets, but can include detention areas if programmed.
 - k. **Amenity Area.** Amenity areas must be built as shown on the attached landscape and is required and must include a pool area, sports court, a dog park, passive open space, walking trails and a shade structure.
 - l. **Bicycle Parking.** A total of 12 bicycle parking spaces will be required.
 - m. **Off-street parking:** 2 spaces per dwelling unit will be provided. These spaces can be tandem spaces with one space in an enclosed garage and one space directly in front of the garage. In addition, an additional 0.25 guest parking spaces are required for each unit.
 - n. **Lighting:** Pedestrian poles on major drives inside the property – every 200 feet; bollard lights – minimum 2 per every interior sidewalk.
 - i. Street and pedestrian lighting shall be of a decorative nature and have a black powder coat finish and must be raised at least nine inches above finished grade on a concrete pedestal.
 - o. **Phasing .** All amenities detailed in Section I above, must be completed once 75% of the dwelling units are ready to be occupied.

Site Plan Exhibit





Bud Creative, LLC
3800 Main Street, Suite B
Dallas, Texas 75226
P: 570.954.1964

OWNER
Matrix Equities
30000 Chagrin Road
Suite 200
Cleveland, OH, 44124

CIVIL ENGINEER
Stanlec
6080 Tennyson Parkway, Suite 200
Plano, TX 75024

WILSHIRE URBAN VILLAGE
BURLESON, TEXAS

Rev:	Date:	Description:

Project Number: 24015
Date: OCTOBER 18, 2024
Issue: ZONING

Sheet Title:
LANDSCAPE PLAN

ZONING
FOR REVIEW ONLY, NOT FOR CONSTRUCTION OR PERMIT PURPOSES.

Michael Lewkush 3528
OCTOBER 18, 2024

Sheet Number:
L-1



NOTE:
OPEN SPACE IS SHOWN FOR DESIGN INTENT ONLY AND SUBJECT TO CHANGE.
ALL PLANTING AND TURF AREAS SHALL BE IRRIGATED BY AN AUTOMATIC IRRIGATION SYSTEM.

LEGEND:

- CANOPY TREE
- ⊕ STREET TREE
- ⊕ ORNAMENTAL TREE
- ▨ SHRUBS
- ▨ GROUND COVER
- ⊕ TURF

LANDSCAPE REQUIREMENTS

GENERAL RETAIL DISTRICT REQUIREMENTS

STREET TREES
The spacing of street trees will be in accordance with the tree species size classes listed in section 86-81, and no trees may be planted closer together than the following without the approval of the tree board: small trees—30 feet; medium trees—40 feet; and large trees—50 feet.

Street Trees	Provided at 50' O.C.	
LANDSCAPE AREA	REQUIRED	PROVIDED
Landscape Area	95,016 SF (20%)	95,016 SF MIN. (20%)
FRONT YARD LANDSCAPE	REQUIRED	PROVIDED
FRONT YARD LANDSCAPE	60,812 (40%)	60,812 SF MIN. (40%)

Landscaping of 20 percent of the total lot shall be required.
Total Lot Area: 475,082 SF

Not less than 40 percent of the total landscaping shall be located in the designated front yard.

Street Frontage: 2,156 LF

LANDSCAPING ADJACENT TO PUBLIC R.O.W.

REQUIRED	PROVIDED
Canopy Tree	36
Evergreen Shrub (5 Gal)	431

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. Within landscaped strips adjacent to rights-of-way, landscaping shall be required as follows:

a. One canopy street tree or two ornamental trees, for each 60 linear feet of frontage, at a minimum three-inch caliper.

b. An average density of one, five-gallon evergreen shrub for each five linear feet of frontage provided however, that any landscaping materials that will be located within ten feet of any public right-of-way shall not, at ultimate growth, exceed 30 inches in height above street grade unless otherwise permitted by the city. Shrubs may be grouped to provide variety in design.

PARKING LOT INTERIOR

REQUIRED	PROVIDED
Landscape Island (162SF)	6,332 SF
Canopy Tree	PROVIDED
Evergreen Groundcover & Shrubs	PROVIDED

Developments with an area five acres or greater shall provide a 162-square-foot landscaped island for each 12 parking spaces. Within parking lot interiors, landscaping shall be provided as follows:

a. One canopy tree or one ornamental tree at a minimum three inches in caliper.

b. Evergreen ground cover or shrubs to a maximum ultimate height of 30 inches from parking lot grade, of a type that will provide full coverage of the landscape island shall be provided. Planted area shall be exclusive of the area within 18-inch radius from each required tree.

c. Areas that are not covered with live plant materials shall be permanently maintained with natural mulch materials such as hard wood, pine bark, or other typical mulch materials.

Total Parking Spaces: 469

BTR REQUIREMENTS

OPEN SPACE	REQUIRED	PROVIDED
Open Space	82,242 SF (10%)	82,242 SF MIN. (10%)
BIKE PARKING	REQUIRED	PROVIDED
Bike Spaces (2 spaces per bike rack)	6 (2 SPACES/RACK)	6 (2 SPACES/RACK)

SFA REQUIREMENTS

LANDSCAPING	REQUIRED	PROVIDED
Ornamental Tree	62	62 MIN.
Canopy Tree	21	21 MIN.

Not less than 10 percent of the gross site area shall be devoted to open space, including required yards and buffer areas. Open space shall not include areas covered by structures, parking areas, driveways, and internal streets.

Total Lot Area: 822,413 SF

A total of (12) parking spaces shall be provided.

An ornamental tree (30 gallon) will be provided at a minimum of one (1) per cluster of units (2 attached dwelling units) and 1 canopy tree per six (6) dwelling units.

Total Units: 124

1 LANDSCAPE PLAN

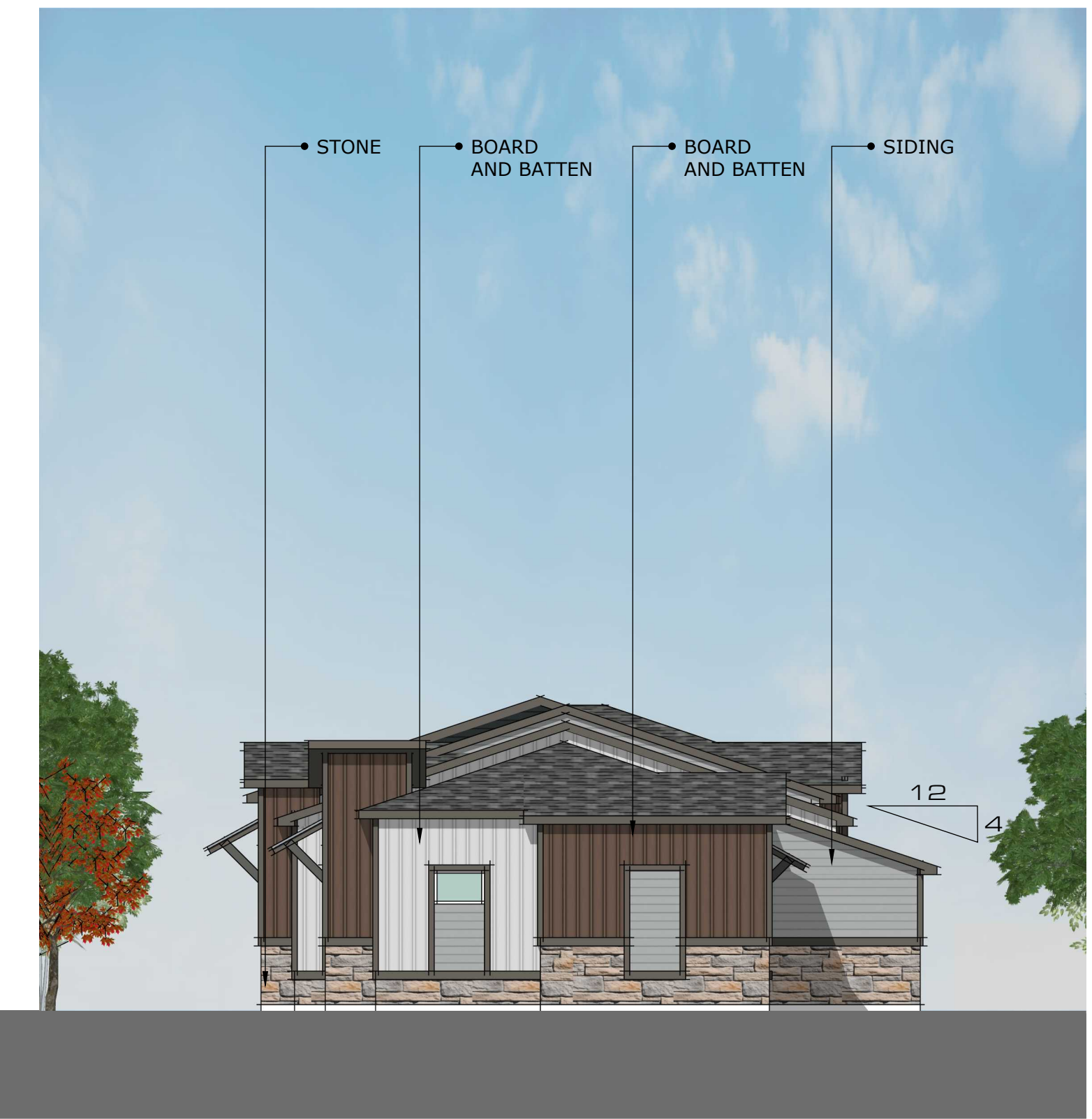
0' 40' 80' 160'

SCALE: 1"=80' NORTH

Drawing name: O:\04-Projects\24015 - Wilshire Urban Village\01 Zoning\04 CAD\02 Sheets\01-Zoning\24015-L1-zoning.dwg L-1 Oct 18, 2024 4:28pm by: alexkulich



FRONT ELEVATION SCALE: 1/8" = 1'-0"



SIDE ELEVATION SCALE: 1/8" = 1'-0"



REAR ELEVATION SCALE: 1/8" = 1'-0"



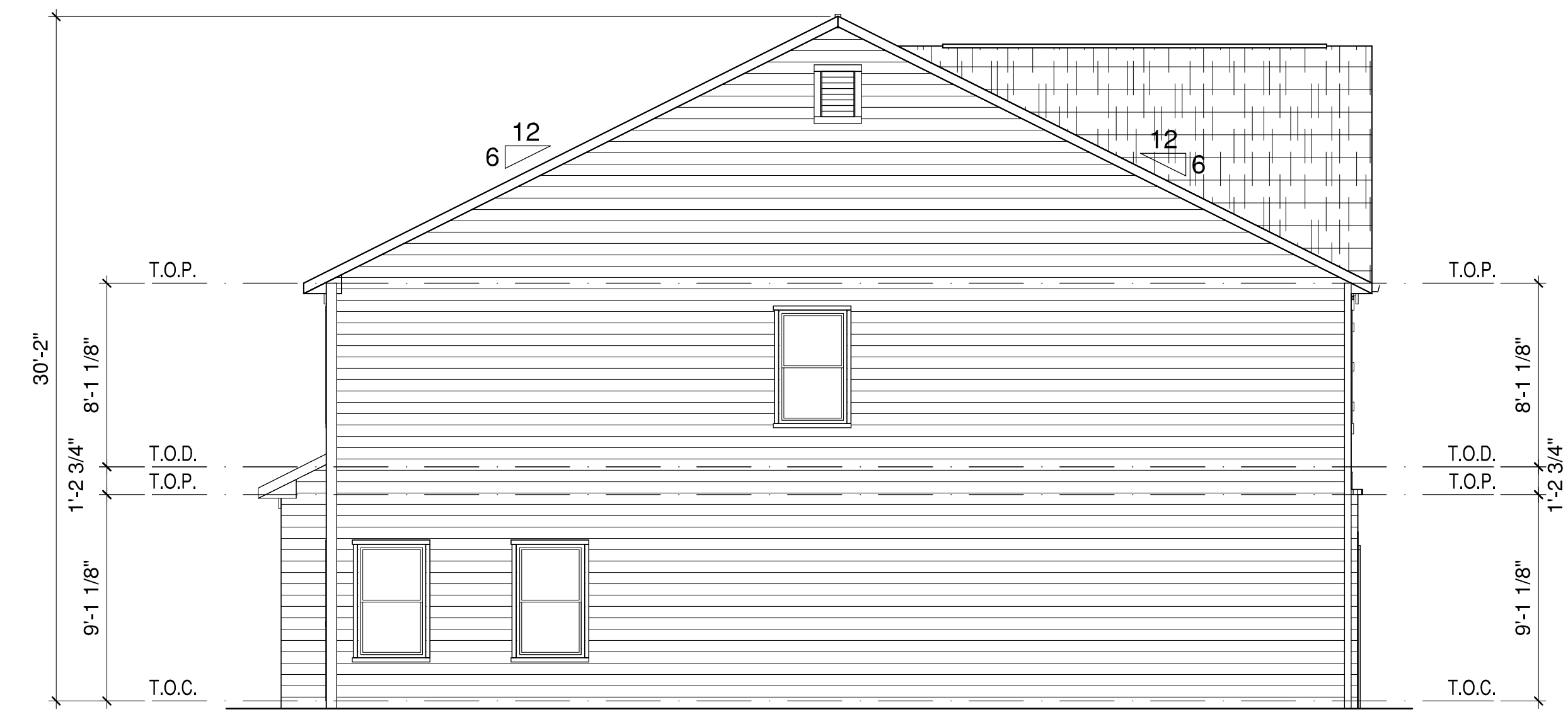
SIDE ELEVATION SCALE: 1/8" = 1'-0"



1 BUILDING A - FRONT ELEVATION - "STYLE A"
SCALE: 3/16"=1'-0"



2 BUILDING A - END ELEVATION - "STYLE A"
SCALE: 3/16"=1'-0"



2a BUILDING A - END ELEVATION - "STYLE A"
SCALE: 3/16"=1'-0"



3 BUILDING A - BACK ELEVATION - "STYLE A"
SCALE: 3/16"=1'-0"

Item B.
NOT FOR
REGULATORY APPROVAL,
PERMITTING,
OR CONSTRUCTION
REVISIONS

WHILSHIRE TOWNHOMES
LOCATED IN BURLESON TEXAS

HEDK
ARCHITECTS
4595 EXCEL PARKWAY ADDISON, TX 75001
214-520-8875
hedk.com

DATE
10-22-2024

PROJECT
23219

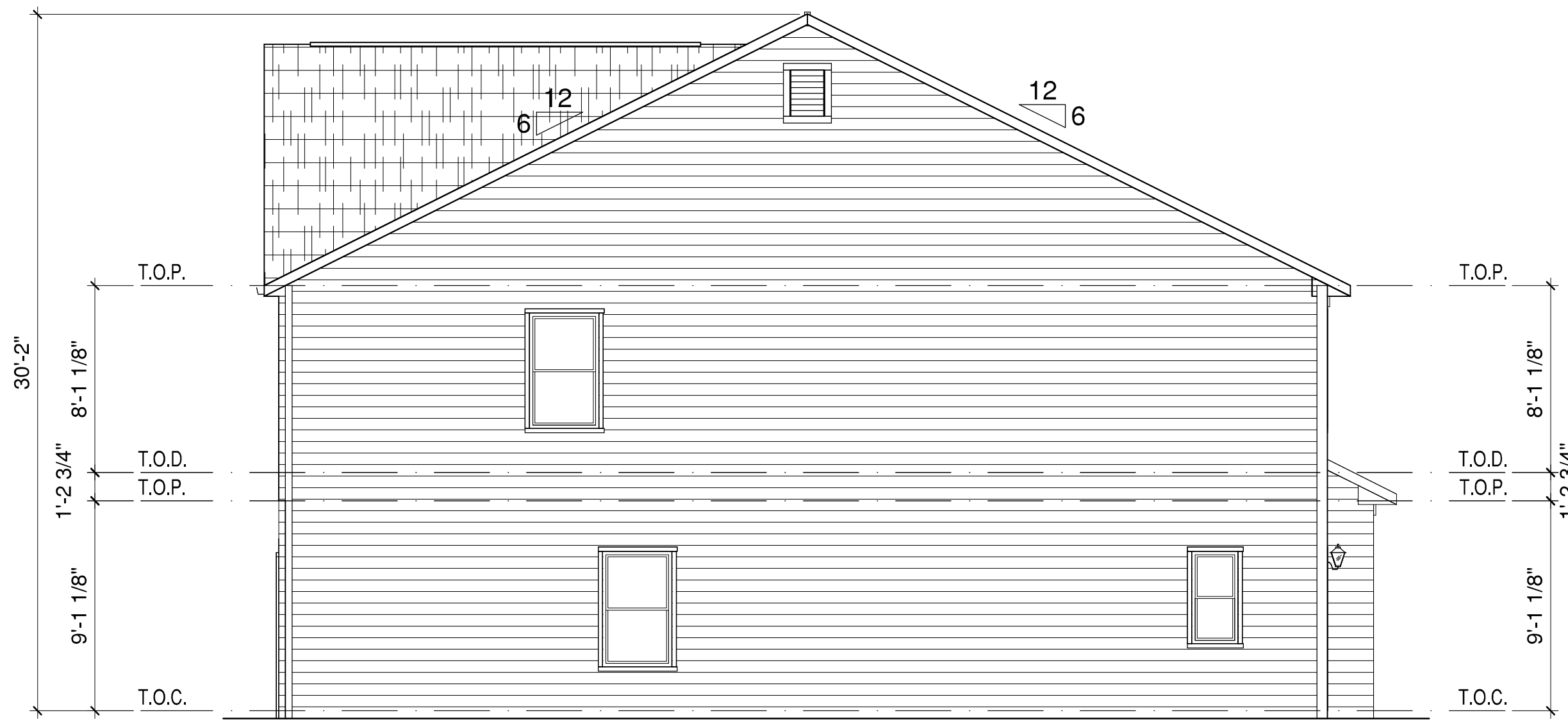
SHEET NUMBER

A4-00
BUILDING A
ELEVATION

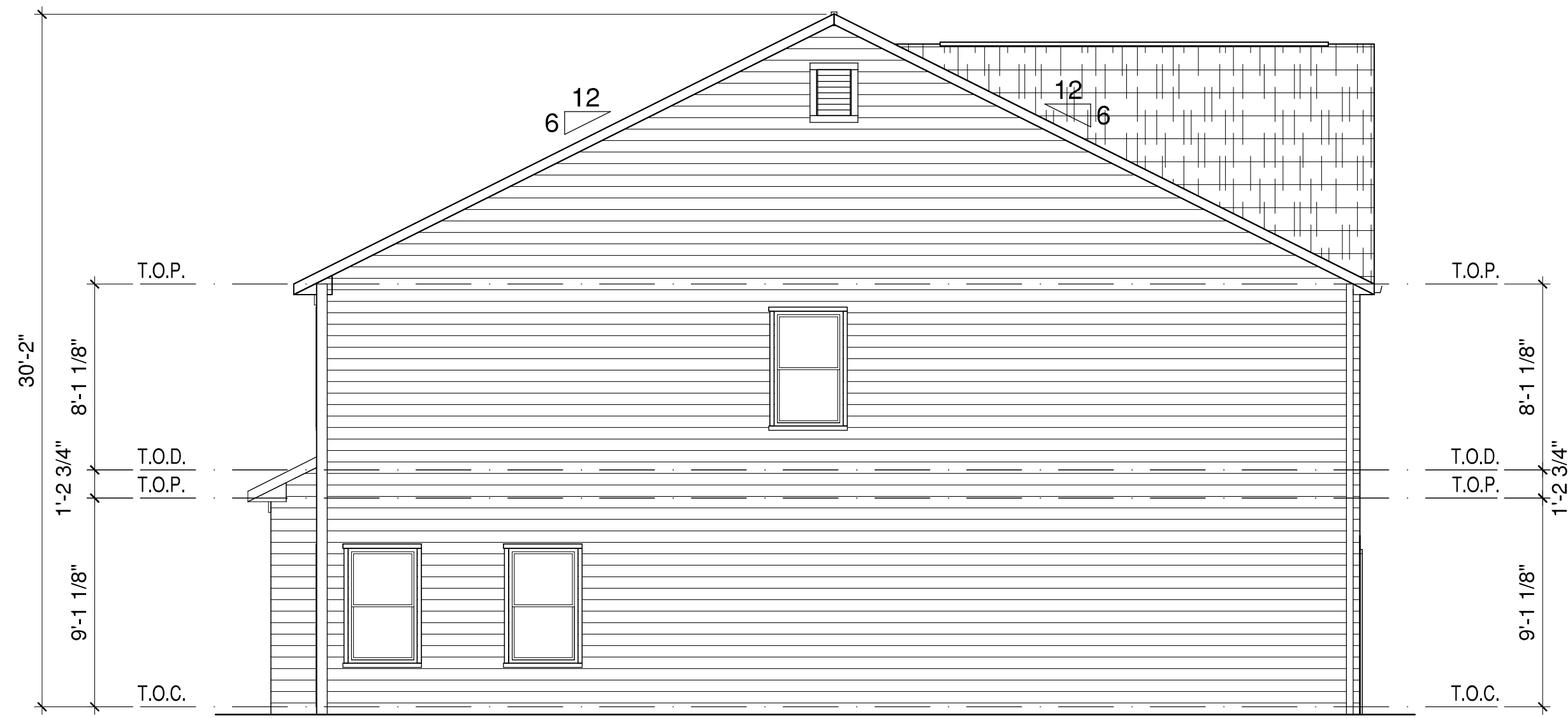
COPYRIGHT © HEDK Architects ALL RIGHTS RESERVED



1 BUILDING A - FRONT ELEVATION - "STYLE D"
SCALE: 1/8"=1'-0"



2 BUILDING A - END ELEVATION - "STYLE D"
SCALE: 1/8"=1'-0"



2a BUILDING A - END ELEVATION - "STYLE D"
SCALE: 1/8"=1'-0"



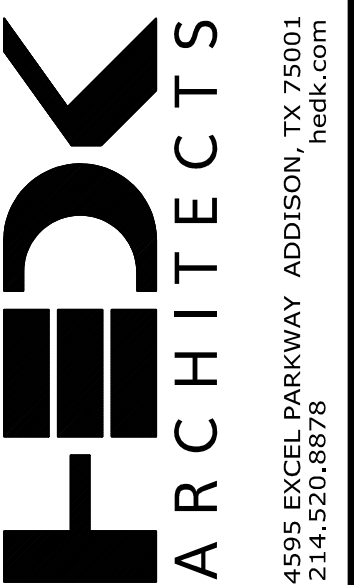
3 BUILDING A - BACK ELEVATION - "STYLE D"
SCALE: 1/8"=1'-0"

NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION

REVISIONS

WHILSHIRE TOWNHOMES

LOCATED IN BURLESON TEXAS



4695 EXCEL PARKWAY ADDISON, TX 75001
214-520-8875
hedk.com

DATE

10-22-2024

PROJECT

23219

SHEET NUMBER

A4-02

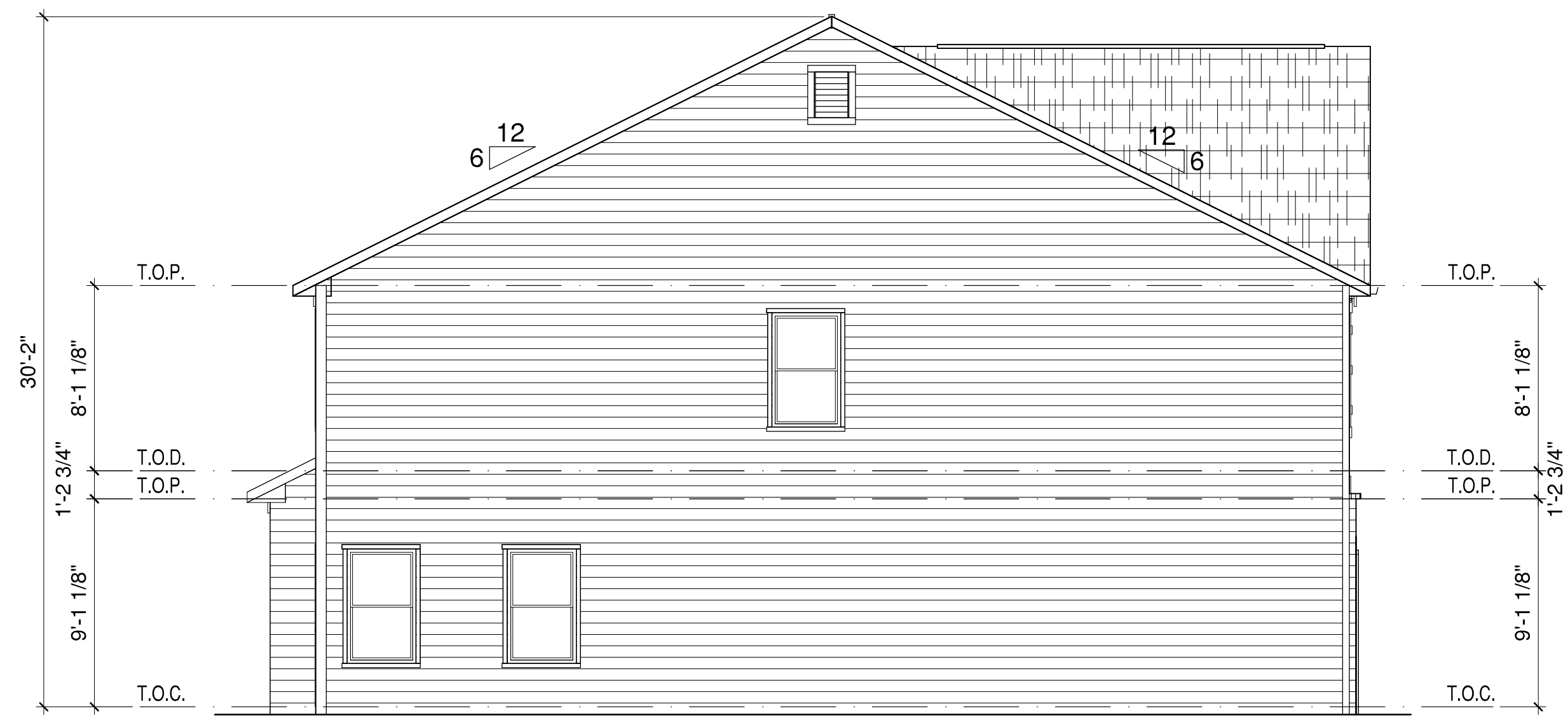
BUILDING A ELEVATION



1 BUILDING B - FRONT ELEVATION - "STYLE A"
SCALE: 3/16"=1'-0"



2 BUILDING B - END ELEVATION - "STYLE A"
SCALE: 3/16"=1'-0"



2a BUILDING B - END ELEVATION - "STYLE A"
SCALE: 3/16"=1'-0"



3 BUILDING B - BACK ELEVATION - "STYLE A"
SCALE: 3/16"=1'-0"

Item B.

NOT FOR
REGULATORY APPROVAL,
PERMITTING,
OR CONSTRUCTION

REVISIONS

WHILSHIRE TOWNHOMES

LOCATED IN BURLESON TEXAS

HEDK
ARCHITECTS

4895 EXCEL PARKWAY ADDISON, TX 75001
214-520-8875
hedk.com

DATE
10-22-2024

PROJECT
23219

SHEET NUMBER
A4-10

BUILDING B
ELEVATION

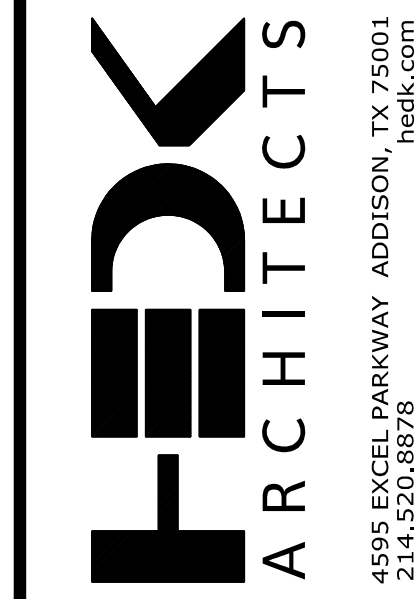
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59

NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION

REVISIONS

WHILSHIRE TOWNHOMES
LOCATED IN BURLESON TEXAS



DATE

10-22-2024

PROJECT

23219

SHEET NUMBER

A4-11

BUILDING B ELEVATION

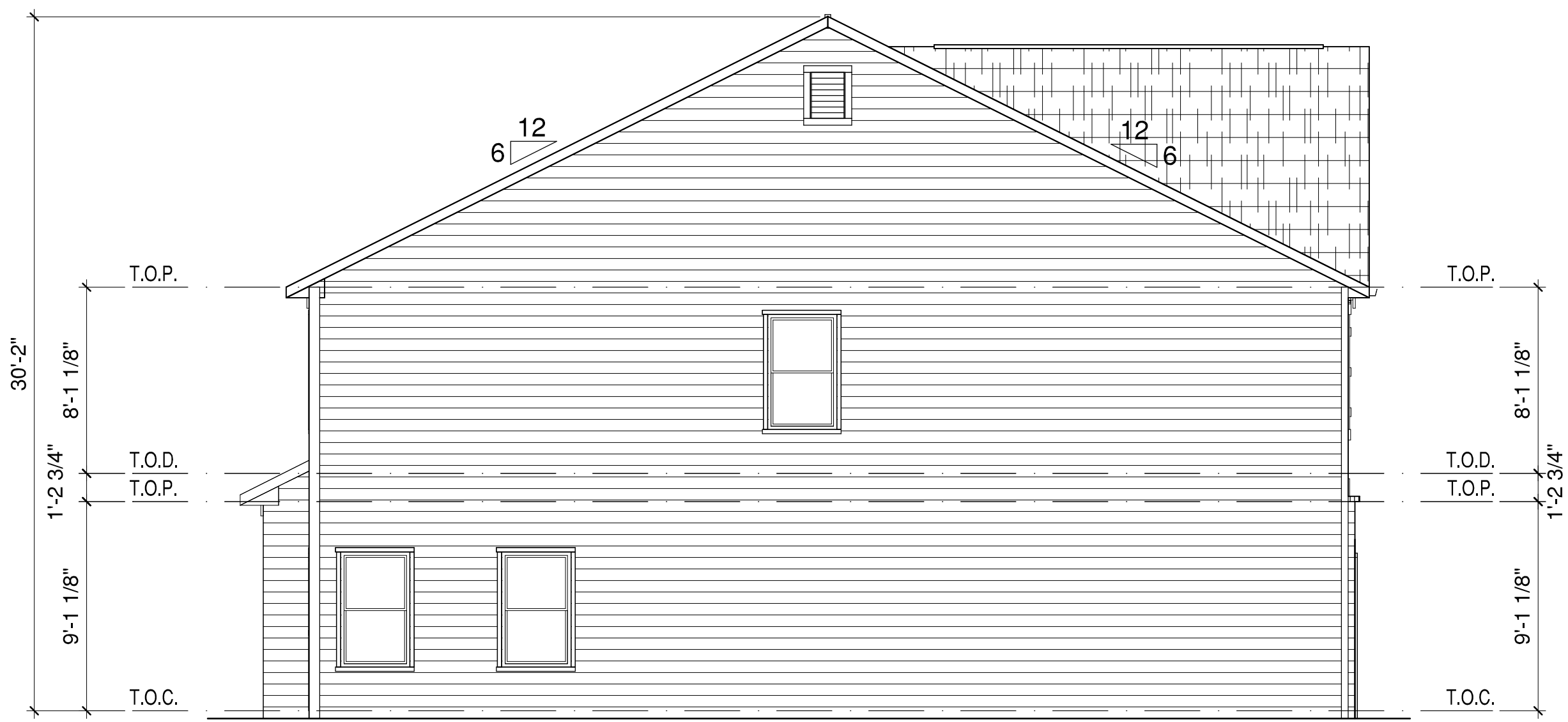
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1 BUILDING B - FRONT ELEVATION - "STYLE B"
SCALE: 3/16"=1'-0"



2 BUILDING B - END ELEVATION - "STYLE B"
SCALE: 3/16"=1'-0"



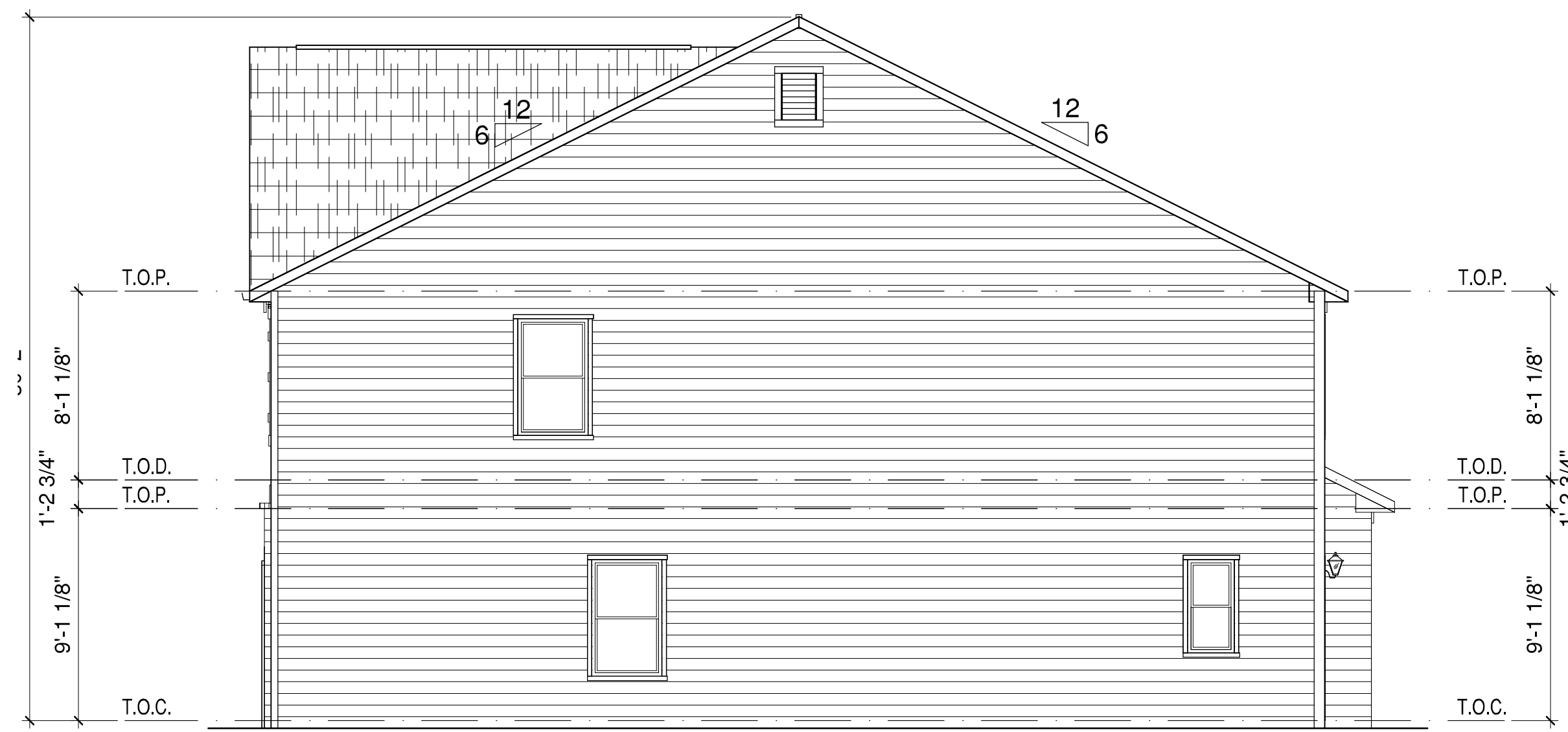
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SCALE: 3/16"=1'-0"



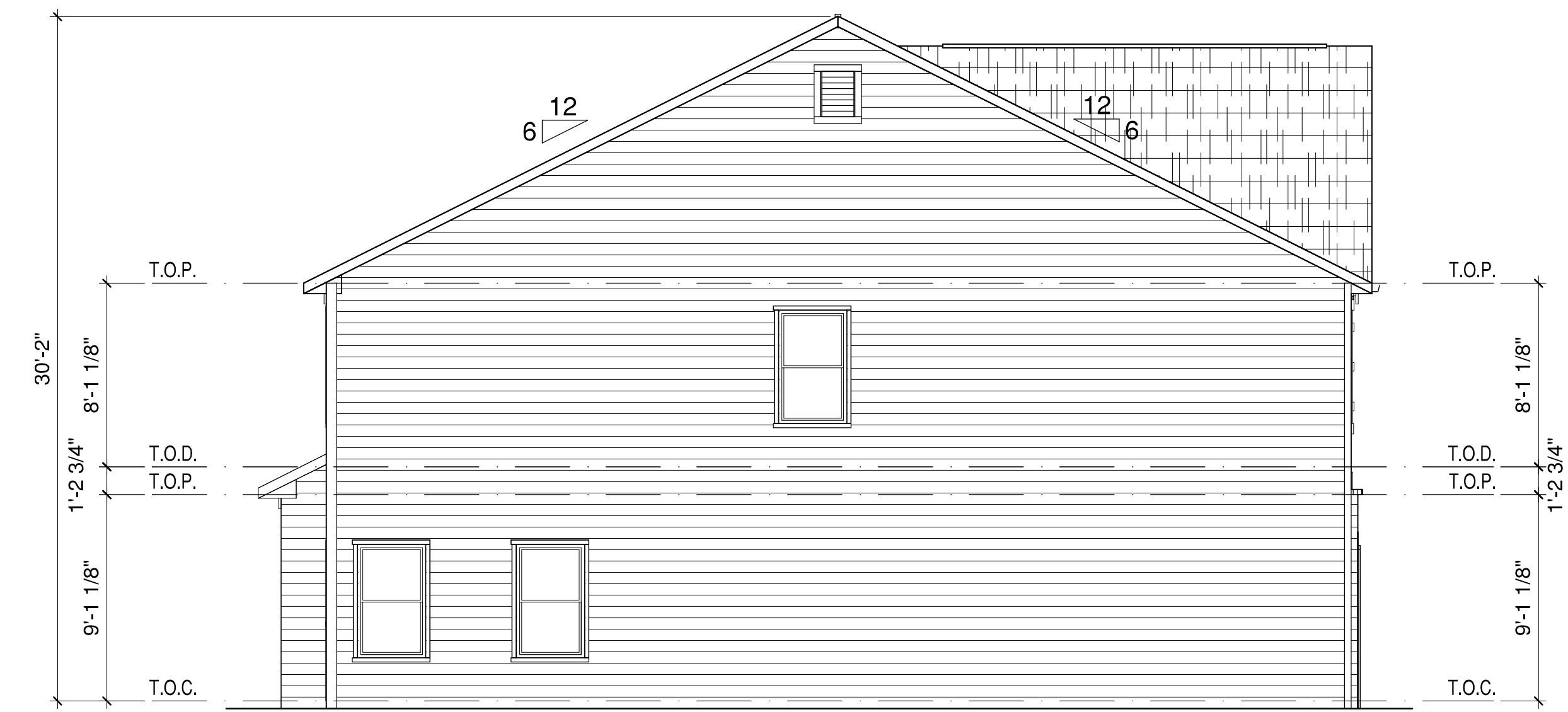
3 BUILDING B - BACK ELEVATION - "STYLE B"
SCALE: 3/16"=1'-0"



1 BUILDING B - FRONT ELEVATION - "STYLE C"
SCALE: 3/16"=1'-0"



2 BUILDING B - END ELEVATION - "STYLE C"
SCALE: 3/16"=1'-0"



2a BUILDING B - END ELEVATION - "STYLE C"
SCALE: 3/16"=1'-0"



3 BUILDING B - BACK ELEVATION - "STYLE C"
SCALE: 3/16"=1'-0"

Item B.

NOT FOR
REGULATORY APPROVAL,
PERMITTING,
OR CONSTRUCTION

REVISIONS

WHILSHIRE TOWNHOMES

LOCATED IN BURLESON TEXAS

HEDK
ARCHITECTS

4695 EXCEL PARKWAY ADDISON, TX 75001
214.520.8875

DATE
10-22-2024

PROJECT
23219

SHEET NUMBER
A4-12

BUILDING B
ELEVATION

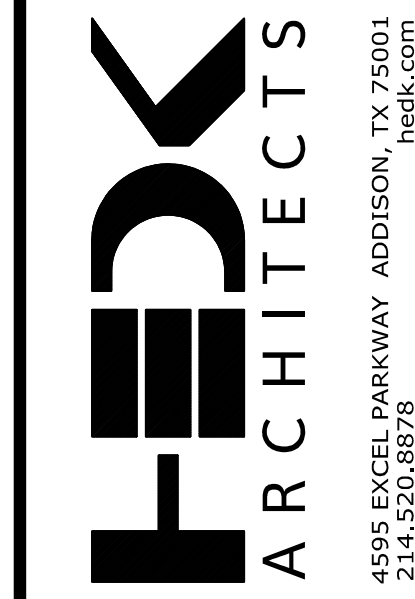
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61

NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION

REVISIONS

WHILSHIRE TOWNHOMES
LOCATED IN BURLESON TEXAS



DATE

10-22-2024

PROJECT

23219

SHEET NUMBER

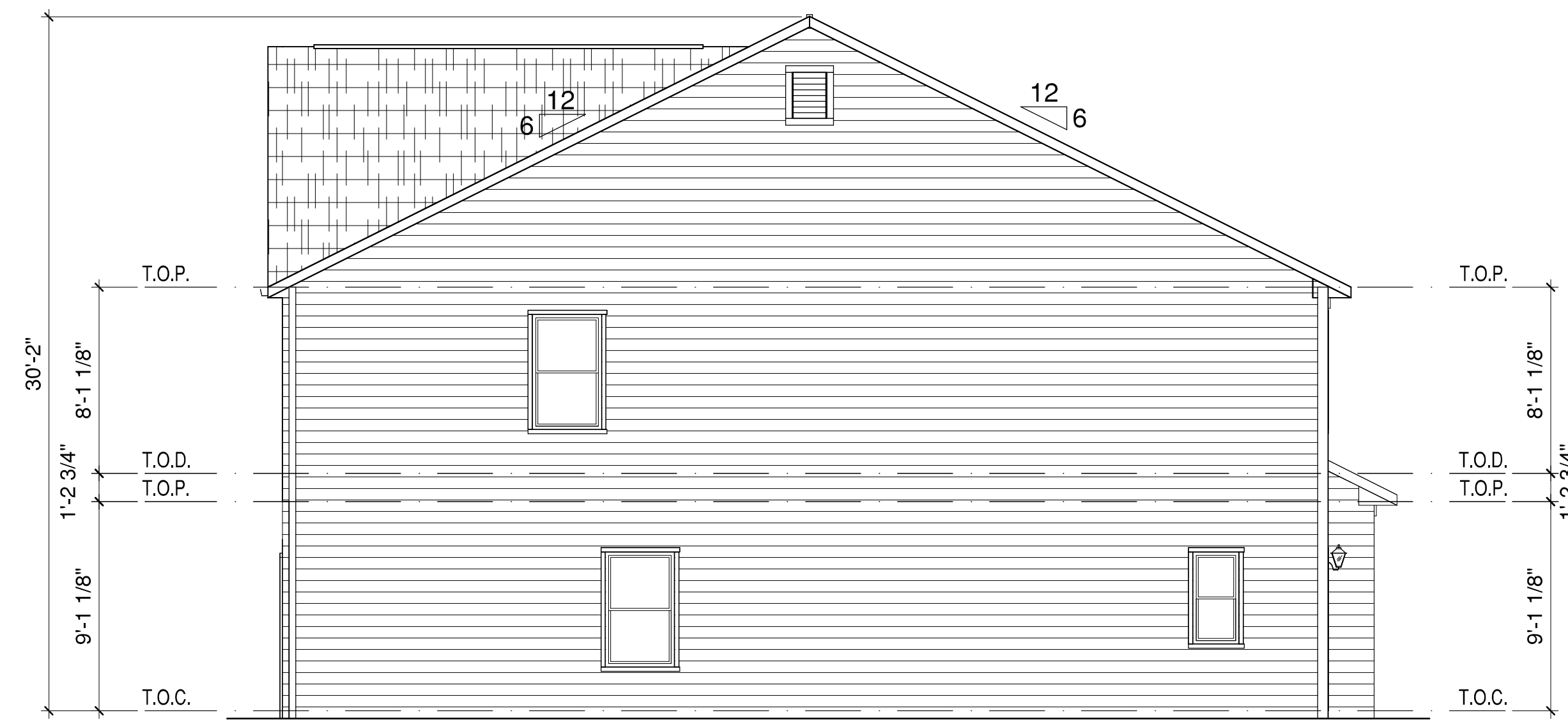
A4-13

BUILDING B ELEVATION

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1 BUILDING B - FRONT ELEVATION - "STYLE D"
SCALE: 3/16"=1'-0"



2 BUILDING B - END ELEVATION - "STYLE D"
SCALE: 3/16"=1'-0"



2a BUILDING B - END ELEVATION - "STYLE D"
SCALE: 3/16"=1'-0"



3 BUILDING B - BACK ELEVATION - "STYLE D"
SCALE: 3/16"=1'-0"

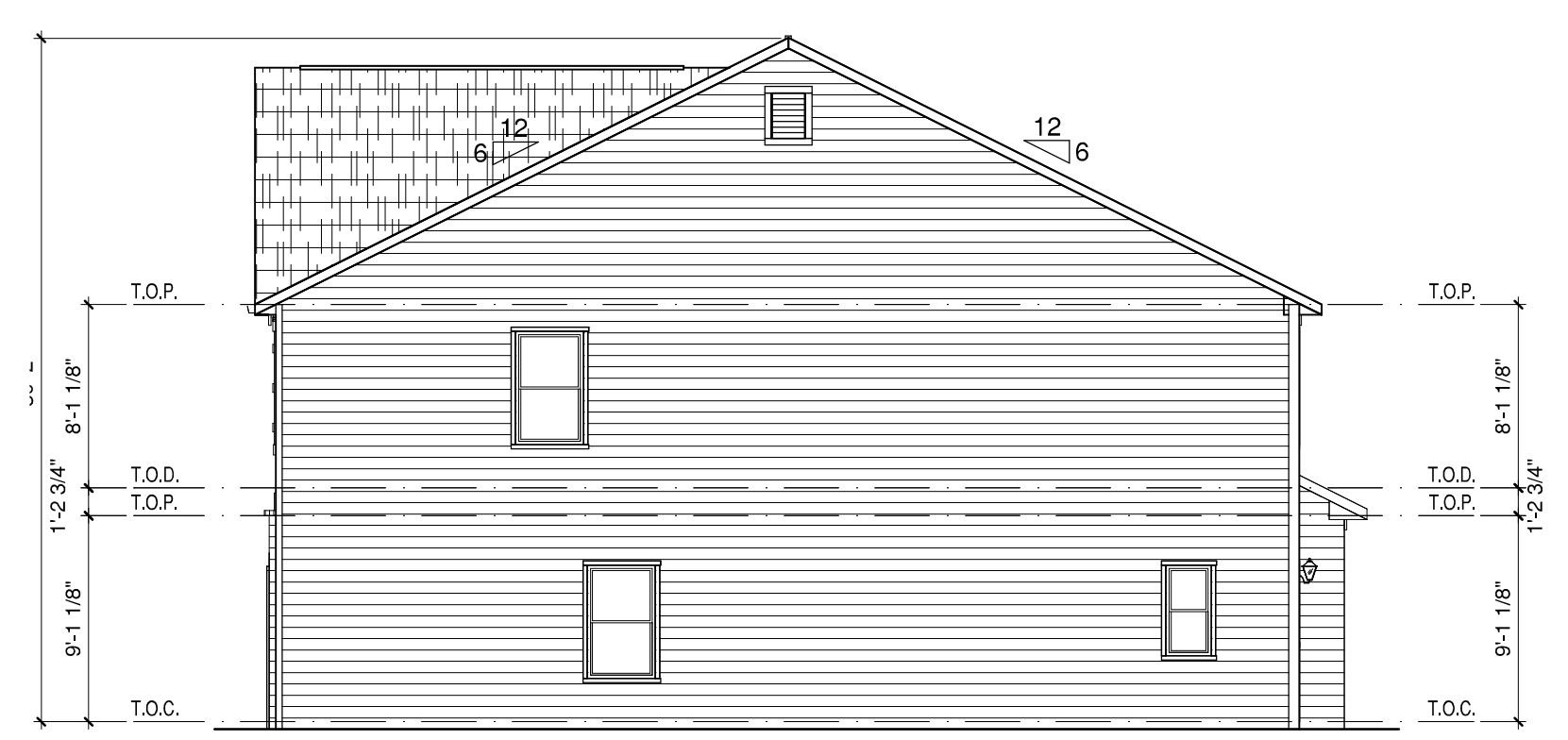
Item B.

NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION

REVISIONS



1 BUILDING C - FRONT ELEVATION - "STYLE C"
SCALE: 1/8"=1'-0"



2 BUILDING C - END ELEVATION - "STYLE C"
SCALE: 1/8"=1'-0"



2a BUILDING C - END ELEVATION - "STYLE C"
SCALE: 1/8"=1'-0"



3 BUILDING C - BACK ELEVATION - "STYLE C"
SCALE: 1/8"=1'-0"

WHILSHIRE TOWNHOMES

LOCATED IN BURLESON TEXAS

HEDK ARCHITECTS

4895 EXCEL PARKWAY ADDISON, TX 75001
214-520-8875
hedk.com

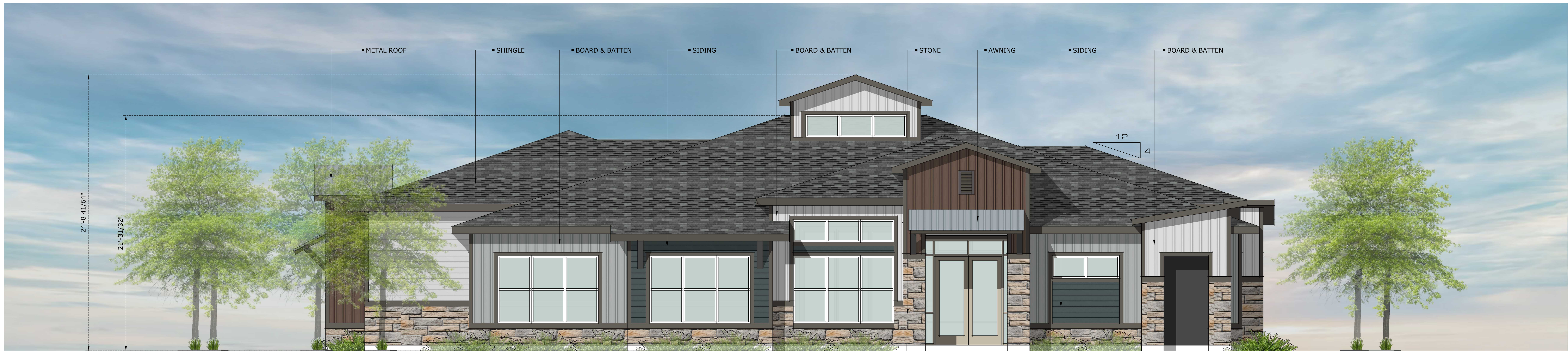
DATE
10-22-2024

PROJECT
23219

SHEET NUMBER

A4-20
BUILDING B
ELEVATION

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FRONT ELEVATION SCALE: 1/4" = 1'-0"



REAR ELEVATION SCALE: 1/4" = 1'-0"



RIGHT SIDE ELEVATION SCALE: 1/4" = 1'-0"



LEFT SIDE ELEVATION SCALE: 1/4" = 1'-0"

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services
FROM: Emilio Sanchez, Development Services Assistant Director
MEETING: November 12, 2024

SUBJECT:

2420 County Road 913 (Case 24-316): Hold a public hearing and consider a recommendation of approval for an ordinance for a zoning change request from “A” Agriculture to “SFE” Single-family estate district. *(Staff Contact: Emilio Sanchez, Development Services Assistant Director)*

SUMMARY:

On October 14, 2024, an application was submitted by Misty D. Krichick, Amanda Machel Hutto, Rachael Galvin & Megan D. Hutto (owners), to rezone approximately 1.816 acres of land to SFE, Single-family estate for the sale of the land and the new owners to plat and construct a new single-family home that is on land.

DEVELOPMENT OVERVIEW:

The owner is proposing an “SFE”, Single-family estate zoning district so that they can pursue the sale of the remainder of land. They would still need to obtain a plat and building permits for a new home on the undeveloped land.

The area was annexed into the city with a default zoning classification of “A” Agriculture and the exiting home on tract II was constructed prior to the area being annexed into the City of Burleson and contained more than the three acres required for a residence. Sometime in the recent past, the homestead was divided by metes and bounds and sold off in less than three acre tracts requiring the zoning change. The owners would like to rezone tract I so that they can plat and sell the property for a new single-family residence.

Zoning and Land Use Table

	Zoning	Use
Subject Site	A, Agriculture	Undeveloped
North	A, Agriculture	Developed, Residential
East	A, Agriculture	Developed, Residential

South	A, Agriculture	Undeveloped
West	A, Agriculture	Undeveloped

The City's Imagine Burleson 2030 Midpoint Update Comprehensive Plan designates this site as **Neighborhoods**. This is predominantly residential with traditional development patterns but should allow for a mix of densities, lot sizes, housing types and style. The primary uses in this category includes single-family residences, including a range of densities from large, agriculture lots to suburban neighborhood lots.

The proposed zoning of SFE, Single-family Estate, is in compliance with the corresponding zoning districts in the Comprehensive plan. This zoning request is the result of the need to construct a new residential home to be constructed on the site.

RECOMMENDATION:

Approve a consideration of an approval of an ordinance for the zoning change request.

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

None

REFERENCE:

<https://ecode360.com/39938791#39938791>

FISCAL IMPACT:

None

STAFF CONTACT:

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

ZC – 2420 CR 913

Location:

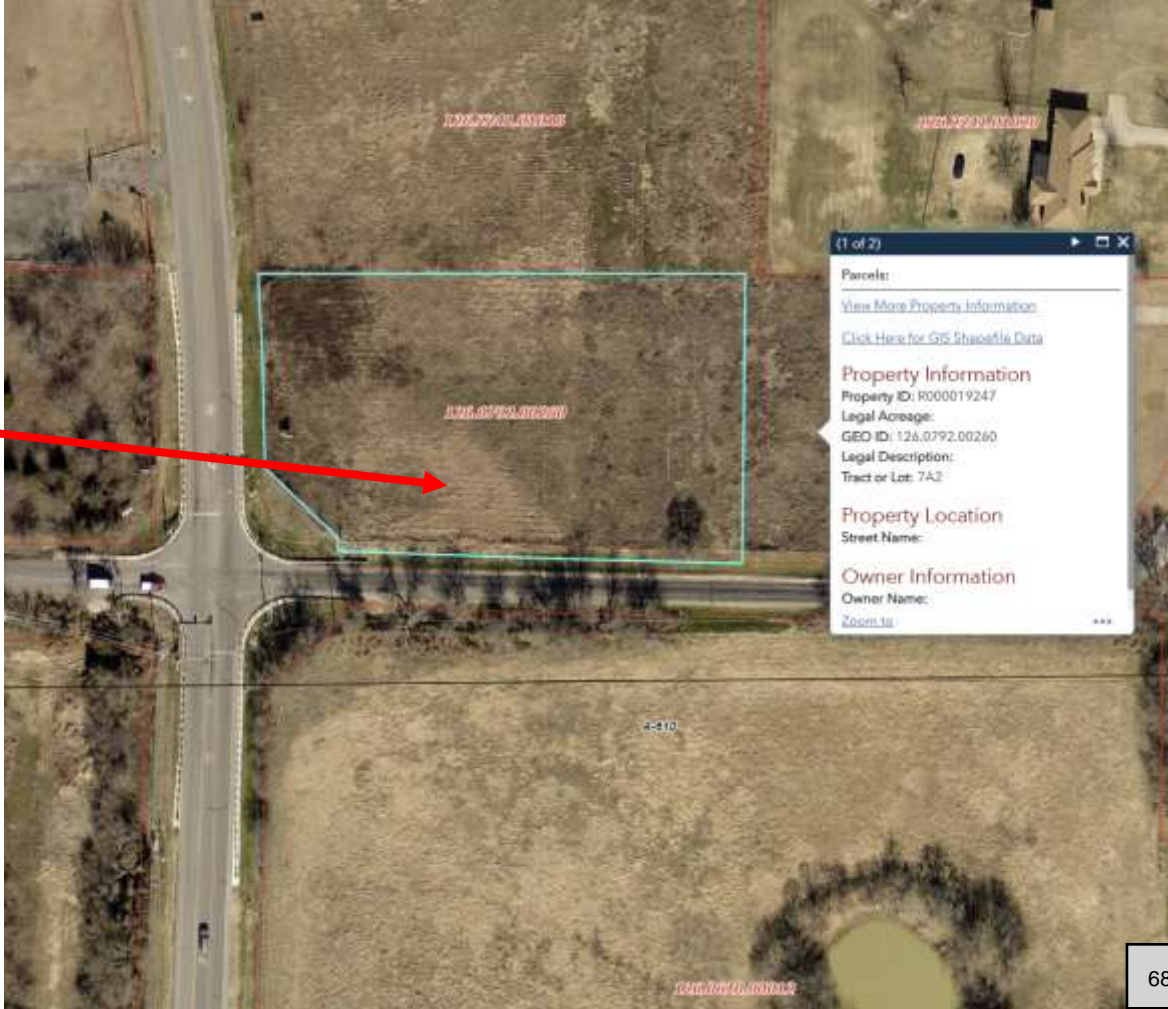
- 2420 CR 913

Applicants:

Misty D. Krichick, Amanda Machelle Hutto,
 Rachael Galvin & Megan D. Hutto

Item for approval:

Zoning Change from "A" Agriculture to "SFE"
 Single-family Estate district
 (Case 24-316).



Comprehensive Plan

Neighborhoods



Zoning

Item C.

Agriculture



ZC – 2420 CR 913

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 – 2420 CR 913

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 1.816 ACRES OF LAND LOCATED IN THE G. R. SHANNON SURVEY, ABSTRACT NO. 792, JOHNSON COUNTY, TEXAS, ALSO BEING A PORTION OF A TRACT OF LAND CONVEYED TO MICHAEL THOMAS HUTTON EST., RECORDED IN INST. NO. 15548, DEED RECORDS OF JOHNSON COUNTY, TEXAS, (DRJCT), FROM AGRICULTURE DISTRICT (A) TO SINGLE-FAMILY ESTATE (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 Misty D. Krichick, Amanda Mabelle Hutto, Rachael Galvin & Megan D. Hutto (OwnerS) on October 14, 2024, under Case Number 24-316, 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 **7 to 0** to recommend to the City Council of Burleson, Texas, that the hereinafter described property be rezoned from its classification of Agriculture (A) to Single-Family Estate (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 property being 1.816 acres of land located in the G. R. Shannon survey, abstract no. 792, Johnson County, Texas, also being a portion of a tract of land conveyed to Michael Thomas Hutton est., recorded in Inst. No. 15548, deed records of Johnson County, Texas, (D.R.J.C.T.) as **described in Exhibit A**, by changing the zoning of said property from **Agriculture (A)** to **Single-family Estate (SFE)** being further described and attached as **Exhibit A**.

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"

SURVEY DESCRIPTION				Surveying Firm # 10091800				
<p>BEING A TRACT OF LAND SITUATED IN G. R. SHANNON SURVEY, ABSTRACT NO. 792, JOHNSON COUNTY, TEXAS, ALSO BEING A PORTION OF A TRACT OF LAND CONVEYED TO MICHAEL THOMAS HUTTON EST., RECORDED IN INST. NO. 15548, DEED RECORDS OF JOHNSON COUNTY, TEXAS. SEE METES AND BOUNDS DESCRIPTION BELOW.</p>		<p>Notes: This lot is subject to the following: (10F)-Easement, Vol. 2159, Pg. 520, R.P.R.J.C.T. According to the Federal Emergency Management Agency Flood Insurance Rate Map, Community Panel No. 46261C0160 J, dated December 04, 2012, this property does not lie within a 100-Year Flood Hazard Area.</p>						
Scale: 1"=100'	Tech: JD	Job No: 24002FF01	ADDITIONAL BUILDING LINES/EASEMENTS PER CITY ZONING ORDINANCES & SUBDIVISION RESTRICTIONS/COVENANTS MAY AFFECT SUBJECT PROPERTY					
SHEET 2 OF 3								
<p>TRACT I</p> <p>BEING A TRACT OF LAND SITUATED IN G. R. SHANNON SURVEY, ABSTRACT NO. 792, JOHNSON COUNTY, TEXAS, ALSO BEING A PORTION OF A TRACT OF LAND CONVEYED TO MICHAEL THOMAS HUTTON EST., RECORDED IN INST. NO. 15548, DEED RECORDS OF JOHNSON COUNTY, TEXAS, (DRJCT), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:</p> <p>BEGINNING 1/2 INCH IRON ROD SET STAMPED "FULLER" FOR THE NORTHEAST CORNER OF HEREIN DESCRIBED TRACT AND THE NORTHWEST CORNER OF THE REMAINDER OF SAID HUTTON TRACT, ALSO BEING IN THE SOUTH LINE OF A TRACT OF LAND CONVEYED TO NICHOLAS WINNETT, RECORDED IN INST. NO. 37916, DRJCT;</p> <p>THENCE, S 00°00'18" W, 242.45 FEET WITH THE WEST LINE OF SAID REMAINDER OF HUTTON TRACT TO A PK NAIL SET FOR THE SOUTHEAST CORNER OF HEREIN DESCRIBED TRACT AND THE SOUTHWEST CORNER OF SAID REMAINDER OF HUTTON TRACT, ALSO BEING IN C.R. 913;</p> <p>THENCE, N 89°59'42" W, 285.96 FEET WITH C.R. 913 ROW TO A PK NAIL SET FOR THE SOUTHWESTERLY CORNER OF HEREIN DESCRIBED TRACT, ALSO BEING IN THE NORTHEAST INTERSECTION OF C.R. 913 AND F.M. 1902;</p> <p>THENCE, N 02°36'52" W, 50.77 FEET WITH C.R. 913 ROW TO A 1/2 INCH IRON ROD SET STAMPED "FULLER" FOR SOUTHWESTERLY CORNER OF HEREIN DESCRIBED TRACT, ALSO BEING IN THE NORTHEAST INTERSECTION OF C.R. 913 AND F.M. 1902144;</p> <p>THENCE, N 47°12'00" W, 70.71 FEET WITH C.R. 913 ROW TO A 1/2 INCH IRON ROD SET STAMPED "FULLER" FOR THE SOUTHWESTERLY CORNER OF HEREIN DESCRIBED TRACT, ALSO BEING IN THE EAST ROW LINE OF F.M. 1902 AND AT THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT WHOSE RADIUS IS 2904.79 FEET AND A CHORD THAT BEARS N 03°32'50" W, 143.94 FEET;</p> <p>THENCE, IN A NORTHERLY DIRECTION WITH SAID EAST ROW LINE OF F.M. 1902 AND SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 143.95 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF HEREIN DESCRIBED TRACT AND THE SOUTHWEST CORNER OF SAID WINNETT TRACT;</p> <p>THENCE, EAST, 349.08 FEET WITH THE SOUTH LINE OF SAID WINNETT TRACT TO THE POINT OF BEGINNING AND CONTAINING 1.816 ACRES (79,085 SQUARE FEET) OF LAND.</p>								
		<p>Address: 2420 C.R. 913 - TRACT I</p> <p>G.F. No.: FTDAL-06-9000062400208-JE</p> <p>Date: 03/02/2024</p>						
<p><i>Rodric R. Reese</i></p> <p>I, Rodric R. Reese, Registered Professional Land Surveyor No. 5883, do hereby declare that the map shown hereon accurately represents the property as determined by an on-the-ground survey made under my direct supervision and correctly shows the boundary lines and dimensions of the property, as found on the date of the survey, indicated hereon. There are no visible conflicts, or encroachments, except as shown and said property has access to a public roadway. All easements and right-of-ways that the surveyor has knowledge of or has been advised of and those shown on the referenced plat of record are shown or noted hereon. This survey is for the exclusive use of title company, the mortgage company and the purchaser.</p>		<p>LAND SURVEYING, INC.</p>						
<table border="0" style="width:100%;"> <tr> <td style="vertical-align: top;"> <p>B.L. = Building Line</p> <p>C.M. = Control Monument</p> <p>D.E. = Drainage Easement</p> <p>D.U.E. = Drainage & Utility Easement</p> <p>M.E. = Maintenance Easement</p> <p>ET = Electric Transformer</p> </td> <td style="vertical-align: top;"> <p>I.P.F. = Iron Pipe Found</p> <p>I.R.F. = Iron Rod Found</p> <p>I.R.S. = Iron Rod Set</p> <p>O.H.E. = Overhead Electric</p> <p>R.D. = Record Data</p> <p>B = Bearing Basis</p> </td> <td style="vertical-align: top;"> <p>LEGEND</p> <p>● = Power Pole</p> <p>P.O.S.E. = Public Open Space Easement</p> <p>R.O.W. = Right of Way</p> <p>M = Meter</p> <p>U.E. = Utility Easement</p> <p>G = Gas Meter</p> </td> <td style="vertical-align: top;"> <p>—/— = Wood Fence</p> <p>—○— = Chain Link Fence</p> <p>—□— = Iron Fence</p> <p>—X— = Wire Fence</p> <p>■ = Electric Meter</p> </td> </tr> </table>					<p>B.L. = Building Line</p> <p>C.M. = Control Monument</p> <p>D.E. = Drainage Easement</p> <p>D.U.E. = Drainage & Utility Easement</p> <p>M.E. = Maintenance Easement</p> <p>ET = Electric Transformer</p>	<p>I.P.F. = Iron Pipe Found</p> <p>I.R.F. = Iron Rod Found</p> <p>I.R.S. = Iron Rod Set</p> <p>O.H.E. = Overhead Electric</p> <p>R.D. = Record Data</p> <p>B = Bearing Basis</p>	<p>LEGEND</p> <p>● = Power Pole</p> <p>P.O.S.E. = Public Open Space Easement</p> <p>R.O.W. = Right of Way</p> <p>M = Meter</p> <p>U.E. = Utility Easement</p> <p>G = Gas Meter</p>	<p>—/— = Wood Fence</p> <p>—○— = Chain Link Fence</p> <p>—□— = Iron Fence</p> <p>—X— = Wire Fence</p> <p>■ = Electric Meter</p>
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<p>2411 GARDEN PARK COURT, ARLINGTON, TX. 76013 - PH# (817)866-2442, FAX# (817)461-5676</p>								