



NOTICE OF MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF BURNET, TEXAS

This notice is posted pursuant to the Texas Local Government Code, Chapter §551 – Open Meetings.

Notice is hereby given that the **Public Hearing and Regular Meeting of the Planning and Zoning Commission** of the City of Burnet, Texas will be held on Monday, **June 3, 2024**, at **6:00 p.m.** at the City of Burnet's Council Chambers located at 2402 S Water St., Burnet, Texas 78611 at which time the following subjects will be discussed, to-wit:

1. CALL TO ORDER:

2. ROLL CALL:

3. CONSENT AGENDA ITEMS: All the following items on the Consent Agenda are considered to be self-explanatory by the Commission and will be enacted with one motion. There will be no separate discussion of these items unless a Commission member, staff member or citizen requests removal of the item from the consent agenda for the purpose of discussion. For removal of an item, a request must be made to the Commission when the Consent Agenda is opened for Commission action.

3.1) Minutes of the meeting of the Planning and Zoning Commission of the City of Burnet, Texas held on May 6, 2024.

4. PUBLIC HEARINGS:

4.1) Public Hearing and Consideration of the following: Plat applications, Zoning Amendments and Zoning Classifications presented by Leslie Kimbler, Planning Manager:

(a) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING PROPERTY KNOWN AS THE CREEK SIDE TOWNHOMES FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1” TO A DESIGNATION OF MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3”; PROPERTY KNOWN AS THE RHOMBERG APARTMENTS FROM ITS PRESENT DESIGNATION ON LIGHT COMMERCIAL – DISTRICT “C-1” AND SINGLE-FAMILY RESIDENTIAL “R-1” TO A DESIGNATION OF MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3”; AND PROPERTY KNOWN AS THE HAMILTON CREEK MANOR FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1” TO A DESIGNATION OF MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3”; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

- (1) Staff Presentation – L. Kimbler
- (2) Public Hearing
- (3) Consideration and action.

5. ACTION ITEMS:

- 5.1) Discuss and consider: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING VARIANCES TO THE CODE OF ORDINANCES, SECTION 98-48 – BLOCKS AND LOTS FOR THE FINAL PLAT OF CREEKFALL PHASE 1 SUBDIVISION: L. Kimbler
- 5.2) Discuss and consider: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, CONDITIONALLY APPROVING THE “FINAL PLAT” OF CREEKFALL PHASE 1 SUBDIVISION, A PROPOSED 84-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 22.27 ACRES: L. Kimbler
- 5.3) Discuss and consider: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, CONDITIONALLY APPROVING THE “FINAL PLAT” OF CREEKFALL PHASE 2 SUBDIVISION, A PROPOSED 20-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 21.65 ACRES: L. Kimbler
- 5.4) Discuss and consider: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, CONDITIONALLY APPROVING THE “FINAL PLAT” OF SOUTH HWY 281 DELAWARE COMMERCIAL, A PROPOSED 3-LOT COMMERCIAL SUBDIVISION CONSISTING OF APPROXIMATELY 19.65 ACRES: L. Kimbler

6. STAFF REPORTS:

7. REQUESTS FOR FUTURE AGENDA ITEMS:

ADJOURN:

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Planning and Zoning Commission of the City of Burnet, is a true and correct copy of said notice and that I posted a true and correct copy of said notice on the bulletin board, in the City Hall of said City, Burnet, Texas, a place convenient and readily accessible to the general public at all times, and said notice was posted on May 31, 2024 at or before 5 o'clock p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Dated this the 31st day of May 2024

Leslie Kimbler, Asst. City Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:

The City of Burnet Council Chambers is wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to the meeting. Please contact the Development Services Department at (512) 715-3206, FAX (512) 756-8560 or e-mail at developmentsservices@cityofburnet.com for information or assistance.



PLANNING AND ZONING COMMISSION MINUTES

On this the 6th of May 2024, the Planning and Zoning Commission of the City of Burnet convened in Regular Session, at 6:00 p.m. at the City of Burnet's Council Chambers located at 2402 S Water St., Burnet, Texas 78611 at which time the following subjects were discussed:

1. CALL TO ORDER:

The meeting was called to order at 6:00 p.m. by Chairman Gaut.

2. ROLL CALL:

Members present: Tommy Gaut, Calib Williams, Glen Teague, Derek Fortin, and Glen Gates

Members absent: None

Guests: Mikayla McIntyre

Others present: David Vaughn, City Manager, and Leslie Kimbler, Planning Manager, Bobbi Havins, Development Services Coordinator

3. CONSENT AGENDA ITEMS:

All the following items on the Consent Agenda are considered to be self-explanatory by the Commission and will be enacted with one motion. There will be no separate discussion of these items unless a Commission member, staff member or citizen requests removal of the item from the consent agenda for the purpose of discussion. For removal of an item, a request must be made to the Commission when the Consent Agenda is opened for Commission action.

- 3.1) Minutes of the meeting of the Planning and Zoning Commission of the City of Burnet, Texas held on April 15, 2024. There being no objections, Chairman Gaut approved the minutes as presented.

4. PUBLIC HEARINGS:

- 4.1) Public Hearing and Consideration of the following: Plat applications, Zoning Amendments and Zoning Classifications presented by Leslie Kimbler, Planning Manager:

- (a) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY GRANTING A CONDITIONAL USE PERMIT TO ALLOW THE USE OF AN "MANUFACTURED HOME SALES AND SERVICE" IN A HEAVY COMMERCIAL – DISTRICT "C-3" FOR A FIVE ACRE PORTION OF PROEPRTY KNOW AS 3720 E. HWY 29, LOCATED ALONG THE NORTH SIDE OF HIGHWAY 29 EAST (LEGAL DESCRIPTION: BEING 5.0519 ACRES TRACT OF LAND, OUT OF THE TCRR CO. SURVEY, NO. 83, ABS. NO. 1402); PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

- (1) Staff Presentation – L. Kimbler
- (2) Public Hearing
- (3) Consideration and action.

Planning Manager, Leslie Kimbler, presented staff's report regarding the request to issue a Conditional Use Permit to allow for the Development of a sales and storage lot for Manufactured homes. Chairman Gaut opened the public hearing at 6:02 p.m. Guest, Mikayla McIntyre, Attorney, spoke to the Commission on behalf of Clayton Homes, stating the goal of Clayton Homes was to deliver high quality homes and make homeownership available to everyone. There being no further comment, Chairman Gaut closed the public hearing at 6:04 p.m. Commissioner Fortin made a motion recommending approval of the proposed request for a Conditional Use Permit. The motion was seconded by Commissioner Williams. The motion carried with a vote of 5 to 0.

5. STAFF REPORTS: Leslie Kimbler announced that Mr. Gaut was elected to the City Council, and at the next P &Z Meeting we will consider election of new officer.

6. REQUESTS FOR FUTURE AGENDA ITEMS:

ADJOURN:

There being no further business, Chairman Gaut adjourned the meeting at 6:07 p.m.

Tommy Gaut, Chair
City of Burnet Planning and Zoning Commission

Attest: _____
Herve Derek Fortin, Secretary



Development Services

ITEM 4.1 (a)

Leslie Kimbler
Planner
512-715-3215
lkimbler@cityofburnet.com

Public Hearing and Action Item

Meeting Date: June 3, 2024

Agenda Item: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING PROPERTY KNOWN AS THE CREEK SIDE TOWNHOMES FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1” TO A DESIGNATION OF MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3”; PROPERTY KNOWN AS THE RHOMBERG APARTMENTS FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1” AND SINGLE-FAMILY RESIDENTIAL “R-1” TO A DESIGNATION OF MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3”; AND PROPERTY KNOWN AS THE HAMILTON CREEK MANOR FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1” TO A DESIGNATION OF MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3”; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: L. Kimbler

Background: This request is a city-initiated request to bring the properties into compliance with the current zoning code.

Information: In the continued effort to clean up the zoning map to ensure each property is zoned appropriately for the use as well as the surrounding area, staff is bringing this request forward for consideration.

Public Notification: Written notices were mailed to 56 surrounding property owners within 200 feet of the subject property. There have been zero responses in favor and zero responses in opposition.

Recommendation: Open the public hearing. At the conclusion of the public hearing, discuss and consider the first reading of the draft ordinance.

Exhibit A – Location and Current Zoning

CREEK SIDE TOWNHOMES



Exhibit A – Location and Current Zoning (cont.)

RHOMBERG APARTMENTS

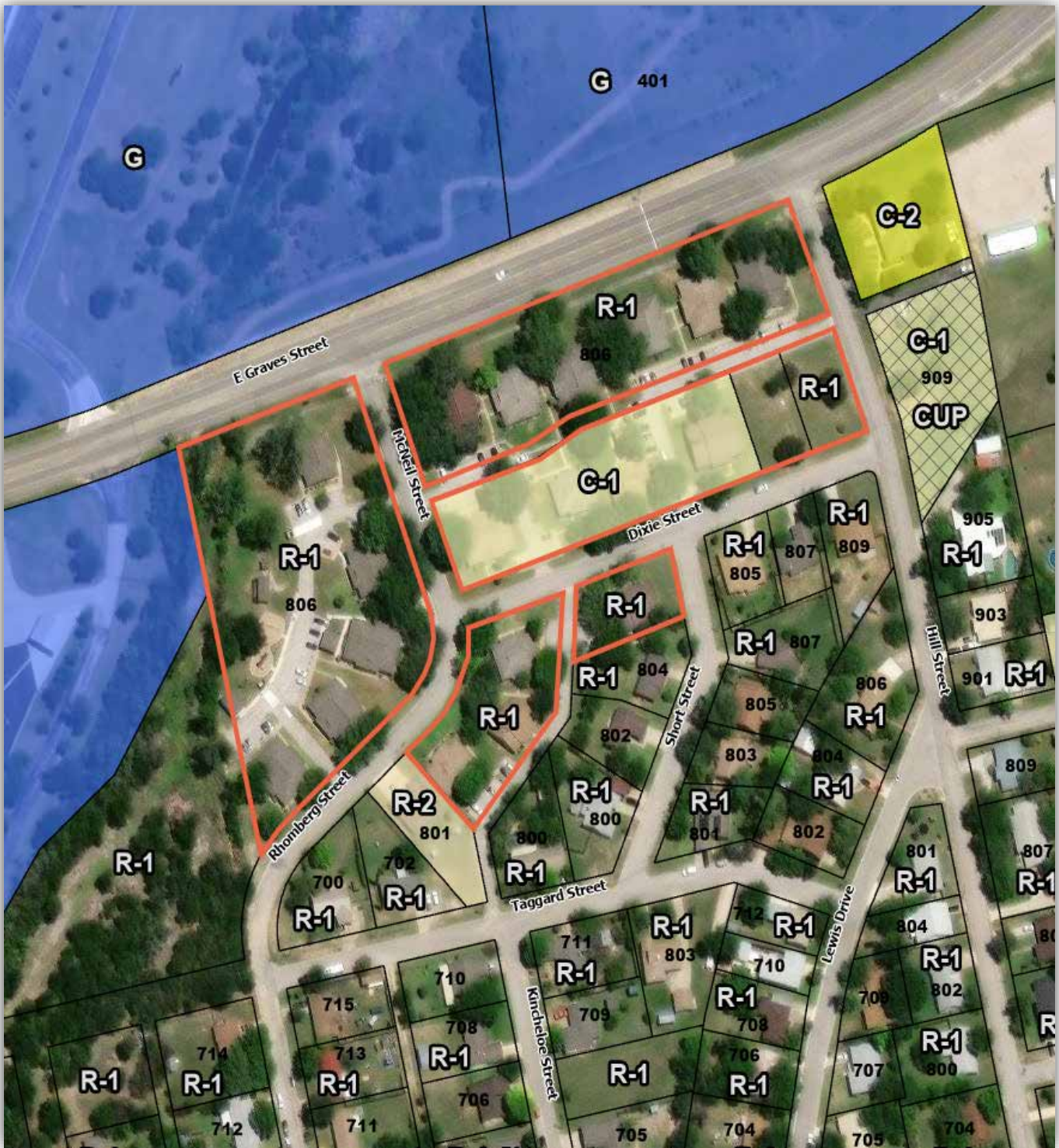
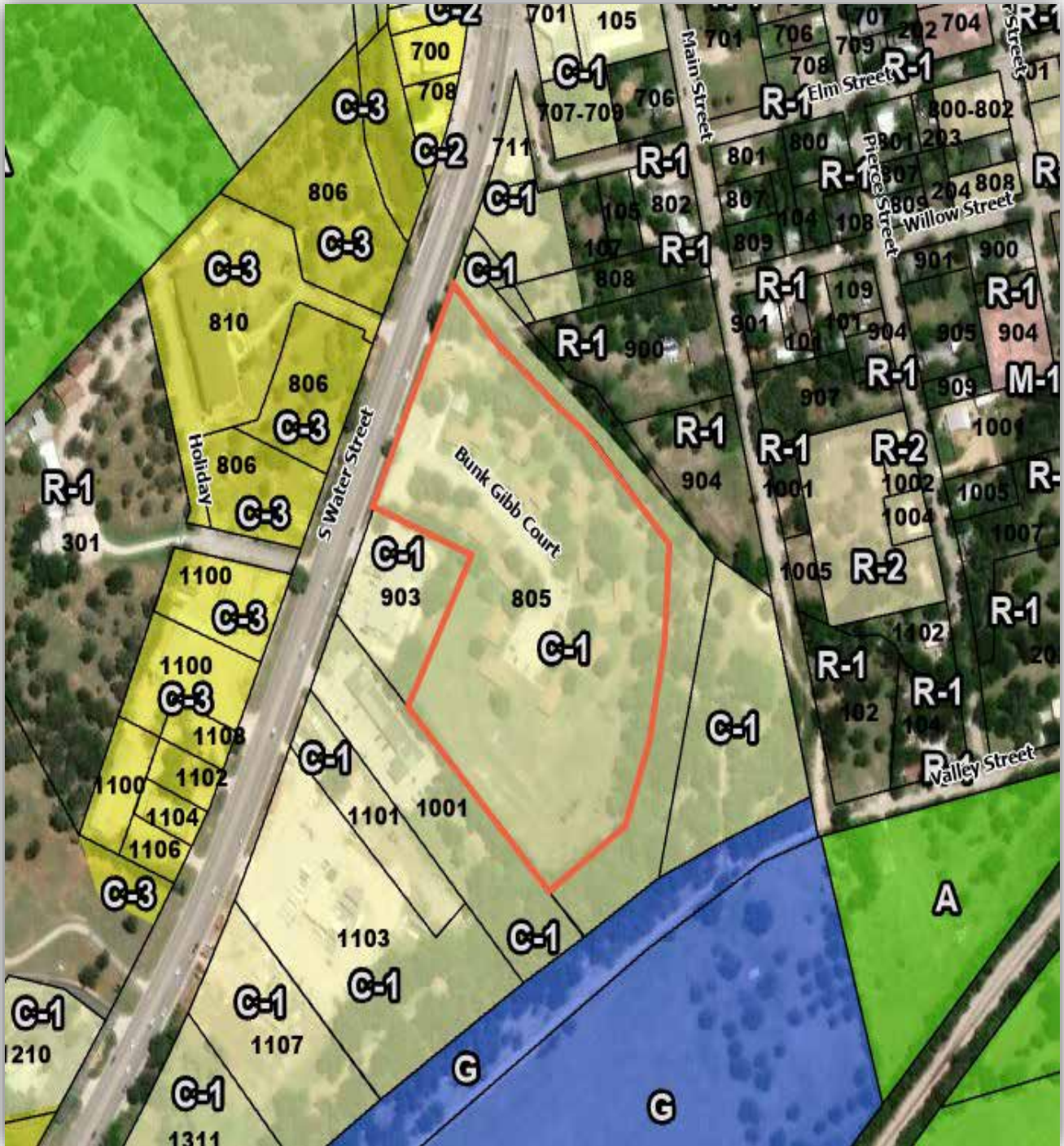


Exhibit A – Location and Current Zoning (cont.)

HAMILTON CREEK MANOR



ORDINANCE NO. 2024-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING PROPERTY KNOWN AS THE CREEK SIDE TOWNHOMES FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1” TO A DESIGNATION OF MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3”; PROPERTY KNOWN AS THE RHOMBERG APARTMENTS FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1” AND SINGLE-FAMILY RESIDENTIAL “R-1” TO A DESIGNATION OF MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3”; AND PROPERTY KNOWN AS THE HAMILTON CREEK MANOR FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1” TO A DESIGNATION OF MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3”

WHEREAS, the City Council, by the passage and approval of Ordinance No. 2021-01, affixed the zoning classifications for each and every property located within the city in accordance with the Official Zoning Map as approved with said ordinance; and

WHEREAS, the purpose of this Ordinance is to amend the Official Zoning Map by amending the zoning classification of the Real Property (“Property”) described herein; and

WHEREAS, the Planning and Zoning Commission, after conducting a public hearing on the matter, deliberated the merits of the proposed amendment of zoning classification and has made a report and recommendation to City Council; and

WHEREAS, in passing and approving this ordinance it is legislatively found the Planning and Zoning Commission and City Council complied with all notice, hearing and meetings requirements set forth in Texas Local Government Chapter 211; Texas Government Code Chapter 551, the City Charter; and Chapter 118, of the Code of Ordinances; and

WHEREAS, it is further legislatively found that this proposed zoning reclassification of property does not require an amendment to the Future Land Use Plan; and

WHEREAS, City Council, after considering the testimony and comments of the public, reports and recommendations of City Staff and the Planning and Zoning Commission, and the deliberation of its members, by passage and approval of this Ordinance hereby determines the action taken herein is meritorious and beneficial to the public health, safety, and welfare.

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

Section one. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted and made a part hereof for all purposes as findings of fact.

Section two. Property. The Property that is the subject to this Zoning District Reclassification is known as: CREEK SIDE TOWNHOMES (LEGALLY DESCRIBED AS:

ABS A0405 JOHN HAMILTON, TRACT 7.21 & .25 ACRES & .17 ACRES, MALLET ADDITION CONSERVATION, 7.63 ACRES) as shown on **Exhibit “A”** hereto.

Section three. Zoning District Reclassification. MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3” Zoning District Classification is hereby assigned to the Property described in section two.

Section four. Property. The Property that is the subject to this Zoning District Reclassification is known as: 806 N RHOMBERG (LEGALLY DESCRIBED AS: BEING LOT 1, KINCHELOE ADDITION) as shown on **Exhibit “B”** hereto.

Section five. Zoning District Reclassification. MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3” Zoning District Classification is hereby assigned to the Property described in section four.

Section six. Property. The Property that is the subject to this Zoning District Reclassification is known as THE RHOMBERG APARTMENTS (LEGALLY DESCRIBED AS: BEING ALL OF LOTS NO. TWO, THREE, FOUR, FIVE, SIX, SEVEN, THIRTEEN, FOURTEEN, FIFTEEN, SIXTEEN, SEVENTEEN, EIGHTEEN, NINETEEN, TWENTY, AND FORTY-ONE, IN THE KINCHELOE ADDITION) as shown on **Exhibit “C”** hereto.

Section seven. Zoning District Reclassification. MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3” Zoning District Classification is hereby assigned to the Property described in section six.

Section eight. Property. The Property that is the subject to this Zoning District Reclassification is known as: HAMILTON CREEK MANOR (LEGALLY DESCRIBED AS: BEING 12.004 ACRES OF LAND OUT OF THE B.B. CASTLEBERRY SURVEY NO. 2), as shown on **Exhibit “D”** hereto.

Section nine. Zoning District Reclassification. MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3” Zoning District Classification is hereby assigned to the Property described in section eight.

Section ten. Zoning Map Revision. The City Secretary is hereby authorized and directed to revise the Official Zoning Map to reflect the change in Zoning District Classification approved by this Ordinance.

Section eleven. Repealer. Other ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent of such conflict.

Section twelve. Severability. This Ordinance is severable as provided in City Code Section 1-7 as same may be amended, recodified or otherwise revised.

Section thirteen. Effective Date. This ordinance is effective upon final passage and approval.

PASSED on First Reading the 11th day of June 2024.

PASSED AND APPROVED on this the 25th day of June 2024.

CITY OF BURNET, TEXAS

Gary Wideman, Mayor

ATTEST:

Maria Gonzales, City Secretary

Exhibit "A"

CREEK SIDE TOWNHOMES



Exhibit "B"

806 N RHOMBERG



Exhibit "C"

RHOMBERG APARTMENTS



Exhibit "D"

HAMILTON CREEK MANOR





Development Services

ITEM 5.1

Leslie Kimbler
Planner
512-715-3215
lkimbler@cityofburnet.com

Action

Meeting Date: June 3, 2024

Agenda Item: Discuss and consider: **A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING VARIANCES TO THE CODE OF ORDINANCES, SECTION 98-48 – BLOCKS FOR THE FINAL PLAT OF CREEKFALL PHASE 1 SUBDIVISION:** L. Kimbler

Background: The proposed Final Plat of Creekfall Phase 1 Subdivision (Exhibit A) is a residential subdivision on approximately 22 acres. The proposed subdivision will create 84 residential lots which are zoned District R-1.

Creekfall Phase 1 is made up of six residential blocks which front the newly created Creekfall Road. All six blocks exceed the allowable length in the City of Burnet's code of ordinances, Sec. 98-48, which necessitates this requested variance. Typically, variances are considered at the preliminary plat stage; however, after a review of the preliminary plat file, staff noticed that the block length requirement had been overlooked. Staff are bringing forward this variance request prior to the consideration of the Final Plat to ensure all requirements of the code are met.

The applicant has met the fire code by providing hydrants every 500 feet to ensure every building is within reach of a hydrant.

Information: The variance before you pertain to the requirements outlined in Code of Ordinances Sec. 98-48(1)(b) which states: "Residential blocks shall not exceed 600 feet nor be less than 300 feet in length."

The City of Burnet Code of Ordinances Sec. 98-82 states the following regarding variances to the subdivision standards:

"In granting approval of a request for variance, the Commission and Council shall conclude that the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the variance observes the spirit of this chapter and concludes that substantial justice is done. The Commission and Council shall meet these requirements by making findings that:

- a. The public convenience and welfare will be substantially served;
- b. The appropriate use of surrounding property will not be substantially or permanently impaired or diminished;
- c. The applicant has not created the hardship from which relief is sought;
- d. The variance will not confer upon the applicant a special right or privilege not commonly shared or available to the owners of similar and surrounding property;
- e. The hardship from which relief is sought is not solely of an economic nature;
- f. The variance is not contrary to the public interest;
- g. Due to special conditions, the literal enforcement of this chapter would result in an unnecessary hardship; and
- h. In granting the variance the spirit of the ordinance is observed and substantial justice is done.

Staff Analysis: Staff has evaluated the criteria outlined in the code and has determined that by providing a connection between Highway 29 and Westfall Street, which could alleviate traffic downtown, approving the variance is not contrary to the public's interest. Additionally, the property is a long linear property surrounded by undeveloped land which necessitates the need for excess block length. The developer has made efforts to reduce the length of the blocks by providing streets for connectivity to other developments where drainage and topography allows.

Recommendation: Staff recommend approval of the variance to the Code of Ordinances, Section 98-48 – Blocks and Lots for the proposed Final Plat of Creekfall Phase 1 Subdivision.

RESOLUTION NO. R2024-XX

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING VARIANCES TO THE CODE OF ORDINANCES, SECTION 98-48 – BLOCKS FOR THE FINAL PLAT OF CREEKFALL PHASE 1 SUBDIVISION

Whereas, on March 9th, 2021, City Council has approved the application for the preliminary plat of Creekfall Phase 1 Subdivision; and

Whereas, Code of Ordinances, Section 98-48, imposes lengths for residential blocks within the Subdivision; and

Whereas, the Planning and Zoning Commission has recommended the variance be granted:

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

Section one. Recitals. That the recitals to this Resolution are incorporated herein for all purposes.

Section two. Findings. As required by City Code Sec. 98-82 City Council finds:

- Granting the variance is not contrary to the public interest: **approving the variance allows the connectivity between Highway 29 and Westfall Street which can help alleviate some of the traffic at the main intersection.**
- The literal enforcement of this chapter would result in unnecessary hardship: **The property is a long linear property surrounded by undeveloped land which necessitates the need for the excess block length. The literal enforcement of the code would result in unnecessary hardship and prevent the property from developing properly.**
- The variance observes the spirit of the ordinance and concludes that substantial justice is done: **Staff has determined that all other requirements of the code are adhered to and therefore, the spirit of the ordinance is observed and substantial justice is done.**

Section three. Approval. The variance request is hereby approved and granted.

Section four. Open Meetings. It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

Section five. Effective Date. That this resolution shall take effect immediately upon its passage, and approval as prescribed by law.

PASSED AND APPROVED this the 11th day of June 2024.

CITY OF BURNET, TEXAS

ATTEST:

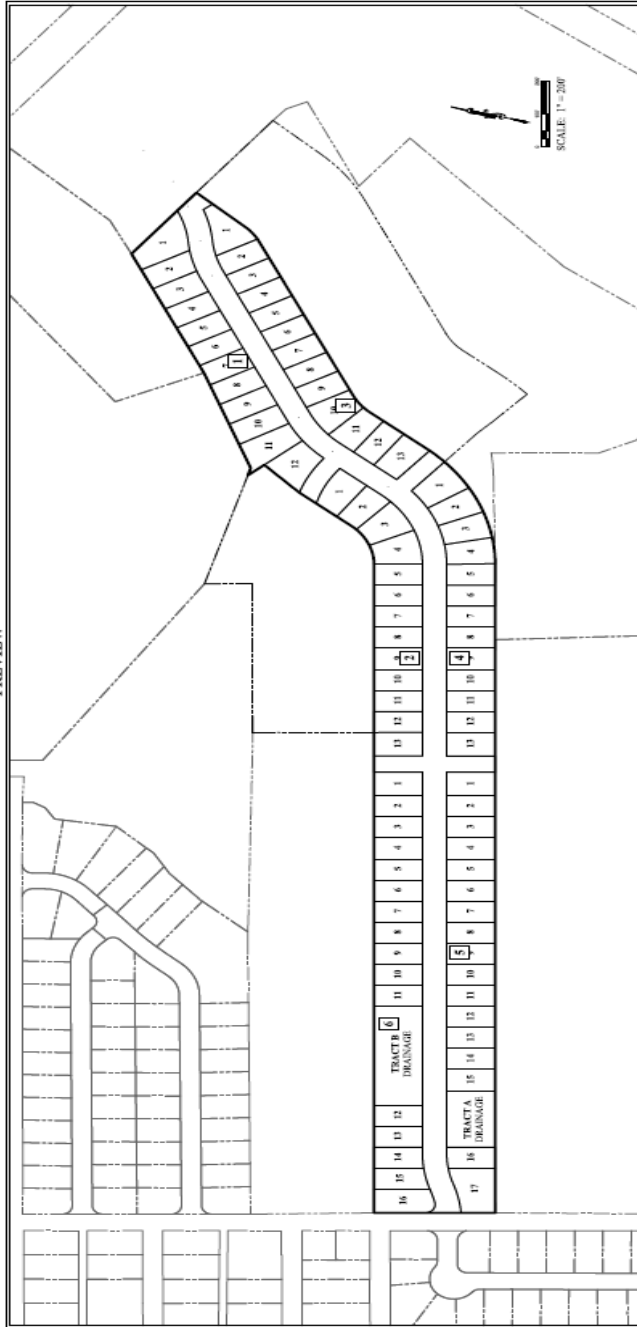
Gary Wideman, Mayor

Maria Gonzales, City Secretary

Exhibit "A" Plat Page 1

FINAL PLAT CREEKFALL PHASE 1 AN ADDITION TO THE CITY OF BURNET, BURNET COUNTY, TEXAS. 22.27 ACRES OUT OF THE SARAH ANN GUEST SURVEY, ABSTRACT NO. 1525, BURNET COUNTY, TEXAS.

PREVIEW



OWNER/DEVELOPER:
JAD DEVELOPMENT, L.L.C., A TEXAS
LIMITED LIABILITY COMPANY
419 FM 1431
MARBLE FALLS, TEXAS 78654

ENGINEER:
REPUBLIC ENGINEERING &
SURVEYING, L.L.C.
P.O. BOX 1313
BARKER HEIGHTS, TEXAS 76548

SURVEYOR:
FROBISH LAND SURVEYING, PLLC
P.O. BOX 1411
BELLON, TEXAS 76013

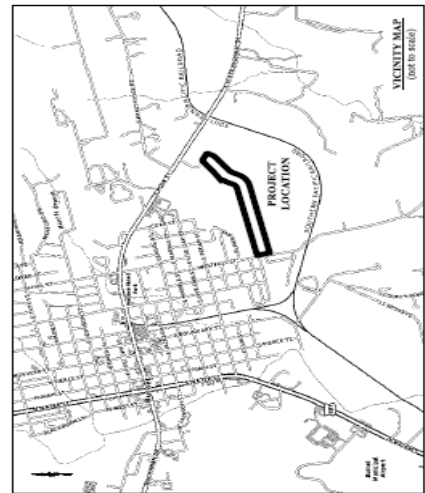


PROJECT TOTALS:

LOTS = 84
TRACTS = 2
BLOCKS = 6
P.L.O.W. AREA = 5.08
P.L.O.W. ANGLE = 373.03
TOTAL ACRES = 22.27

NOTES:

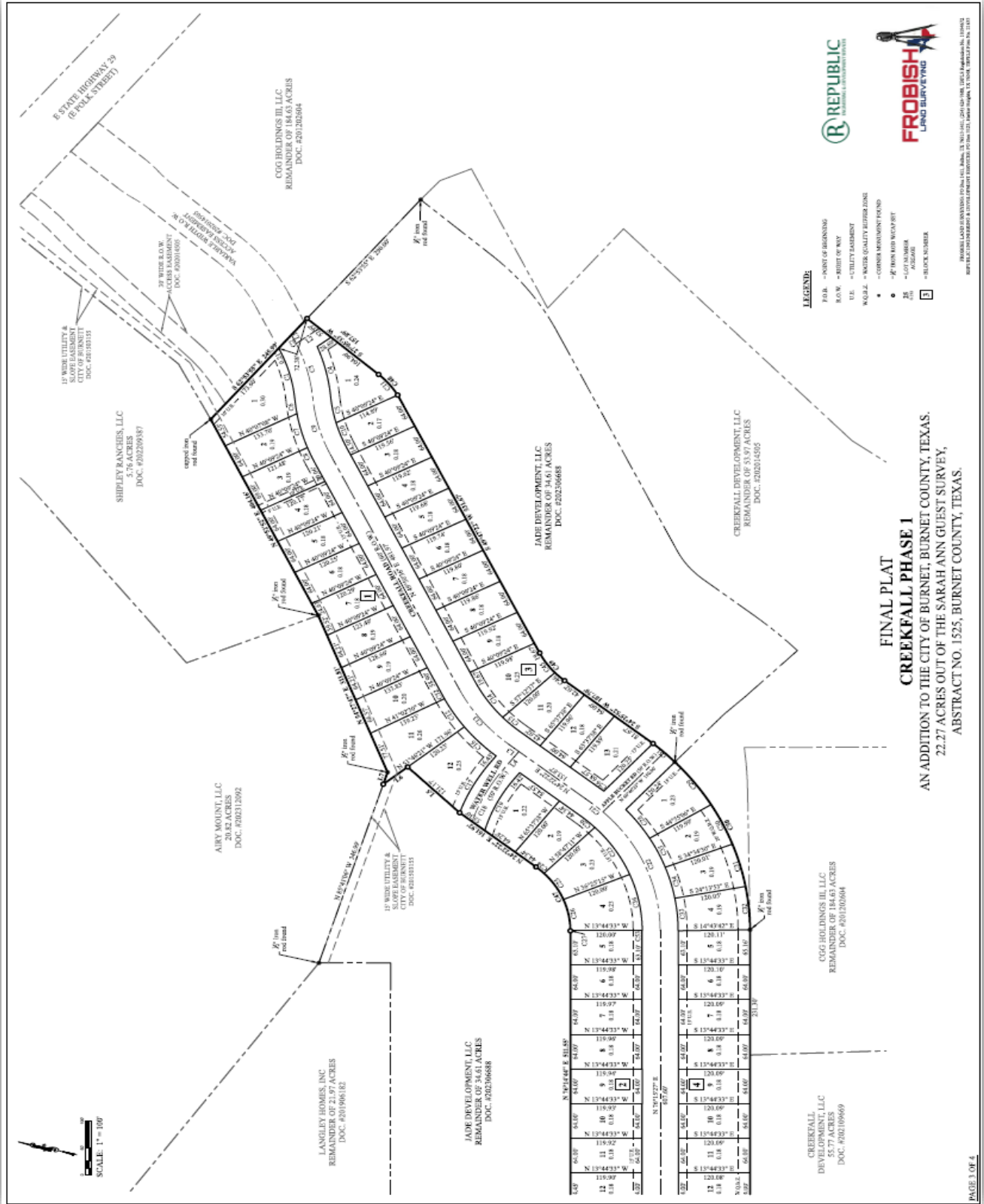
- The bearings recited herein are grid bearings derived from GPS observations based on the NAD83(2011) State Plane Coordinate System, Texas Central Zone No. 433. All distances are horizontal surface distances. The Combined Correction Factor (CCF) = 1.0001796.
- This tract is shown to be within Zone "X" (Area of Minimal Flood Hazard), per FEMA's Flood Insurance Rate Map (FIRM) panel for Burnet County, Texas, panel number 480500D96, effective 11/01/2015. This does not imply that this tract will, or will not flood, nor does it indicate that the project is in compliance with the minimum standards required by the City of Burnet.
- No building or any other obstructions shall be placed within utility easements or water quality buffer zones.
- Building setback lines shall comply with the City of Burnet's zoning ordinance.



PLAT PAGE 1

REPUBLIC ENGINEERING & SURVEYING, L.L.C. IS AN EQUAL OPPORTUNITY EMPLOYER. TEXAS PROFESSIONAL SURVEYOR LICENSE NO. 12181. FROBISH LAND SURVEYING IS AN EQUAL OPPORTUNITY EMPLOYER. TEXAS PROFESSIONAL SURVEYOR LICENSE NO. 12181.

Plat Page 3



- LEGEND:**
- FOUR - NORTH OF BEARING
 - SIX - SOUTH OF BEARING
 - UTL - UTILITY EASEMENT
 - W.G.L.E. - WATER QUALITY EFFLUENT ZONE
 - CM - COMMON MONUMENT POINT
 - MP - MONUMENT POINT
 - BL - BLOCK NUMBER

FINAL PLAT
CREEKFALL PHASE 1
 AN ADDITION TO THE CITY OF BURNET, BURNET COUNTY, TEXAS,
 22.27 ACRES OUT OF THE SARAH ANN GUEST SURVEY,
 ABSTRACT NO. 1525, BURNET COUNTY, TEXAS.

Plat Page 4

FINAL PLAT CREEKFALL PHASE 1 AN ADDITION TO THE CITY OF BURNET, BURNET COUNTY, TEXAS, 22.27 ACRES OUT OF THE SARAH ANN GUEST SURVEY, ABSTRACT NO. 1525, BURNET COUNTY, TEXAS.

THE STATE OF TEXAS
COUNTY OF BURNET

The attached plat of CREEKFALL PHASE 1 has been submitted to and considered by the City Engineer of the City of Burnet, Texas and has been found to comply with the Subdivision Ordinance of the City of Burnet, Texas.

WITNESS MY HAND AND OFFICIAL SEAL this ____ day of _____, 20__.

Jess Swain, City Engineer

THE STATE OF TEXAS
COUNTY OF BURNET

KNOW ALL MEN BY THESE PRESENTS, that JADE DEVELOPMENT, LLC, a Texas Limited Liability Company, being the owner of the land shown on this plat designated as CREEKFALL PHASE 1, being 22.27 acres out of the Sarah Ann Guest Survey, Abstract No. 1525, Burnet County, Texas, and being part of that called 24.61 acre tract of land as described by a deed to said owner, recorded in Document No. 202306088, Official Public Records of Burnet County, Texas, do hereby join, approve, and consent to all matters shown herein. I do hereby approve the subdivision of this subdivision plat and declare to the public use hereof any statement and truth that are shown herein.

By: _____
T. Lewis, Agent
Jade Development, LLC, a Texas Limited Liability Company

THE STATE OF TEXAS
COUNTY OF BURNET

This instrument was acknowledged before me on the ____ day of _____, 20__, by Henry T. Lewis, Agent for Jade Development, LLC, a Texas Limited Liability Company on behalf of said company.

Notary Public for the State of Texas
My Commission Expires: _____

THE STATE OF TEXAS
COUNTY OF BURNET

The attached plat of CREEKFALL PHASE 1 has been submitted to and considered by the Planning and Zoning Commission of the City of Burnet, Texas, at its meeting on the ____ day of _____, 20__, and it hereby recommended by such Commission to the City Council of Burnet, Texas for its consideration for acceptance of the dedication of lands for public use as indicated and approval of the plat.

Bret Burton, Chairman
Planning & Zoning Commission

THE STATE OF TEXAS
COUNTY OF BURNET

The attached plat of CREEKFALL PHASE 1 has been submitted to the City Council of the City of Burnet, Texas, at its meeting on the ____ day of _____, 20__, and was duly considered and found to comply with the Ordinance of the State of Texas and the City Ordinance of the City of Burnet, Texas. The City Council of the City of Burnet, Texas hereby accepts the dedication of lands for public use as indicated and approves this plat.

Alan Smith, Mayor
Kelly Dix, City Secretary

LINE TABLE:

LINE	BEARING	DISTANCE
1-1	N 49°15'39" E	12.31'
1-2	S 49°43'37" E	48.10'
1-3	S 28°29'42" W	30.17'
1-4	S 87°03'00" W	10.17'
1-5	N 3°30'20" E	12.17'
1-6	N 51°56'21" W	31.37'
1-7	S 85°41'09" E	23.31'

CURVE TABLE:

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	300.00'	15.00'	S 89°22'09" W	5.69'
C2	300.00'	5.00'	S 89°22'09" W	1.84'
C3	300.00'	104.93'	S 89°22'09" W	104.42'
C4	300.00'	15.45'	S 89°22'09" W	95.17'
C5	300.00'	15.45'	S 89°22'09" W	95.17'
C6	300.00'	26.11'	S 89°43'28" W	26.11'
C7	300.00'	65.18'	N 66°42'22" E	65.68'
C8	300.00'	25.95'	S 52°24'55" W	25.97'
C9	300.00'	44.97'	N 53°08'59" E	44.92'
C10	300.00'	45.86'	S 34°12'27" W	45.64'
C11	300.00'	15.81'	S 43°25'24" W	15.74'
C12	300.00'	15.81'	S 43°25'24" W	15.74'
C13	300.00'	85.36'	S 41°15'59" W	80.07'
C14	300.00'	85.36'	S 41°15'59" W	80.07'
C15	300.00'	35.60'	N 28°34'52" E	35.63'
C16	300.00'	75.57'	S 31°46'19" W	75.39'
C17	300.00'	105.75'	N 74°53'33" W	105.21'
C18	300.00'	105.75'	N 74°53'33" W	105.21'
C19	275.66'	106.29'	S 76°41'25" E	105.54'
C20	270.00'	32.24'	S 2°49'25" W	32.22'
C21	270.00'	32.24'	S 2°49'25" W	32.22'
C22	300.00'	246.24'	S 52°46'31" W	239.40'
C23	270.00'	105.39'	S 42°23'47" W	104.73'
C24	300.00'	119.91'	N 79°43'17" E	117.80'
C25	300.00'	119.91'	N 79°43'17" E	117.80'
C26	300.00'	58.47'	N 44°44'14" E	58.10'
C27	300.00'	66.30'	N 39°19'55" E	66.18'
C28	450.51'	99.57'	S 39°44'45" W	99.31'
C29	450.51'	99.57'	S 39°44'45" W	99.31'
C30	450.51'	181.24'	S 69°54'14" W	181.13'
C31	450.51'	181.24'	S 69°54'14" W	181.13'
C32	450.51'	85.33'	S 79°59'09" W	80.22'
C33	300.00'	166.41'	N 13°00'42" E	166.33'
C34	300.00'	166.41'	N 13°00'42" E	166.33'
C35	300.00'	58.57'	N 59°12'15" E	58.49'
C36	270.00'	103.97'	S 64°02'21" W	103.29'
C37	270.00'	44.48'	S 71°57'15" W	44.43'
C38	300.00'	185.24'	N 81°52'24" E	185.39'
C39	300.00'	185.24'	N 81°52'24" E	185.39'
C40	300.00'	105.29'	S 69°12'10" W	104.75'
C41	300.00'	79.10'	S 65°31'42" W	78.31'
C42	300.00'	79.10'	S 65°31'42" W	78.31'
C43	300.00'	45.91'	S 62°49'30" W	45.80'
C44	24.00'	44.25'	N 64°46'55" W	38.87'
C45	300.00'	44.48'	S 41°13'52" W	44.48'
C46	300.00'	133.83'	N 59°15'55" E	133.24'
C47	300.00'	133.83'	N 59°15'55" E	133.24'
C48	185.80'	49.80'	S 36°19'27" W	49.64'
C49	300.00'	166.68'	S 37°06'29" W	166.13'
C50	300.00'	166.68'	S 37°06'29" W	166.13'
C51	450.51'	58.01'	S 29°41'13" W	58.00'
C52	300.00'	5.10'	S 49°24'03" W	5.10'
C53	270.00'	10.00'	S 70°32'43" W	10.00'
C54	270.00'	10.00'	S 70°32'43" W	10.00'
C55	270.00'	37.91'	S 69°12'14" W	37.88'
C56	300.00'	2.83'	N 24°17'48" E	2.82'



Lynette E. Frobish
Notary Public
State of Texas

OWNER/BUYER/OPER:
JADE DEVELOPMENT, LLC, A TEXAS
LIMITED LIABILITY COMPANY
450 P.M. ROAD 1431
MARBLE FALLS, TEXAS 76648



ENGINEERS,
PLANNING, ENGINEERING &
DEVELOPMENT SERVICES
P.O. BOX 1123
HARKER HEIGHTS, TEXAS 76548



SURVEYOR:
FROBISH LAND SURVEYING, PLLC
P.O. BOX 4411
BELTON, TEXAS 76713



Development Services

ITEM 5.2

Leslie Kimbler
Planner
512-715-3215
lkimbler@cityofburnet.com

Action

Meeting Date: June 3, 2024

Agenda Item: Discuss and consider: **A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, CONDITIONALLY APPROVING THE “FINAL PLAT” OF CREEKFALL PHASE 1 SUBDIVISION, A PROPOSED 84-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 22.27 ACRES:** L. Kimbler

Background: The proposed Final Plat of Creekfall Phase 1 Subdivision (Exhibit A) is a residential subdivision on approximately 22 acres. The proposed subdivision will create 84 residential lots, which are zoned District R-1, and two drainage tracts.

One new road, named Creekfall Road, has been created which will gain access from Highway 29 and Westfall Street. The subdivision also creates three additional streets to provide connectivity with the adjacent subdivisions. These three additional streets are: Desert Drive, Water Well Road, and Apple Bucket Road.

The preliminary plat was approved by P&Z and City Council in March of 2021. Construction plans for the subdivision were approved by city staff and engineer in October of 2021.

Staff Analysis: The proposed Final Plat of Creekfall Phase 1 Subdivision has been reviewed using Code of Ordinances Section 98-24 (Final Plats) as a guide. It has been found to comply with ordinance requirements relating to form and content; however, a few minor comments still need to be addressed prior to recordation of the plat.

At the time of submittal, the developer has not completed all necessary improvements for the subdivision; therefore, this proposed resolution is to only approve the Final Plat of Creekfall Phase 1 and not allow the recordation of the plat until such time as the public infrastructure is completed, or surety instrument guaranteeing construction of all improvements is approved, and the subdivision is preliminarily accepted by City Council.

Recommendation: Discuss and consider the approval of the Final Plat of Creekfall Phase 1 Subdivision. Staff recommends the following motion:

Conditionally approve the Final plat of Creekfall Phase 1 Subdivision subject to the applicant resolving the following matters:

1. Revise the street name from COKE STREET to DESERT DRIVE.
2. Update Signature Blocks [Sec. 98-24(c)(f)]
3. Show location of sidewalks [Sec. 98-24(c)(4)(g)]
4. Add drainage easements to all drainage tracts [Sec. 98-47(b)].
5. Update plat note number seven to include Phase Three.
6. Add a plat note designating the drainage tracts as lots to be maintained by the HOA [Sec. 98-61(l)].
7. Revise PUE along Lots 15, 16, and Tract A to match the utilities installed.
8. The developer is to satisfy all of the requirements for the water line easement to be valid and binding.

RESOLUTION NO. R2024-XX

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET,
TEXAS, CONDITIONALLY APPROVING THE “FINAL PLAT” OF
CREEKFALL PHASE 1 SUBDIVISION, A PROPOSED 84-LOT
RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 22.27
ACRES**

Whereas, City Council has approved a preliminary plat of the Creekfall Phase 1 Subdivision; and

Whereas, the Planning and Zoning Commission has made its recommendation on the final plat of the Creekfall Phase 1; and

Whereas, the city staff and the city engineer have opined the application substantially complies with the subdivision ordinance; and

Whereas, the plat shall not be recorded until the internal streets and public infrastructure is completed or the applicant provides a surety instrument assuring such completion; and

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

Section 1. Findings. That the recitals to this Resolution are incorporated herein for all purposes.

Section 2. Conditional Approval. The Final Plat of Creekfall Phase 1 Subdivision is hereby conditionally approved; subject to the condition recommended by the Planning and Zoning Commission as follow:

1. Revise the street name from COKE STREET to DESERT DRIVE.
2. Update Signature Blocks [Sec. 98-24(c)(f)]
3. Show location of sidewalks [Sec. 98-24(c)(4)(g)]
4. Add drainage easements to all drainage tracts [Sec. 98-47(b)].
5. Update plat note number seven to include Phase Three.
6. Add a plat note designating the drainage tracts as lots to be maintained by the HOA [Sec. 98-61(l)].
7. Revise PUE along Lots 15, 16, and Tract A to match the utilities installed.
8. The developer is to satisfy all of the requirements for the water line easement to be valid and binding.

Section 3. Recordation. The final plat of the Creekfall Phase 1 Subdivision shall not be recorded in the Public Records of Burnet County, Texas, until such time as the public

infrastructure contemplated by said plat is completed, or surety instrument guaranteeing construction of all improvements is accepted, and the subdivision is preliminarily accepted by City Council.

Section 4. Open Meetings. It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

Section 5. Effective Date. That this resolution shall take effect immediately upon its passage, and approval as prescribed by law.

PASSED AND APPROVED this the 11th day of June 2024.

CITY OF BURNET, TEXAS

Gary Wideman, Mayor

ATTEST:

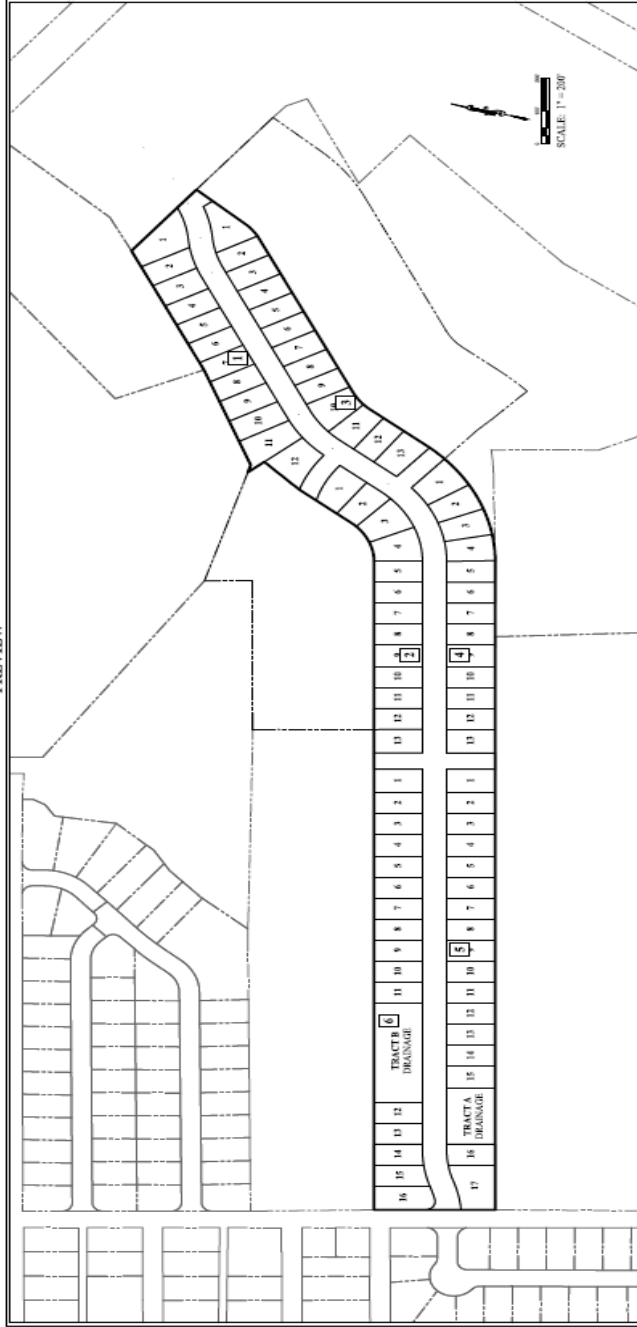
Maria Gonzales, City Secretary

Exhibit "A"

Plat Page 1

FINAL PLAT
CREEKFALL PHASE 1
 AN ADDITION TO THE CITY OF BURNET, BURNET COUNTY, TEXAS.
 22.27 ACRES OUT OF THE SARAH ANN GUEST SURVEY,
 ABSTRACT NO. 1525, BURNET COUNTY, TEXAS.

PREVIEW



OWNER/DEVELOPER:
 JAD DEVELOPMENT, L.L.C. A TEXAS
 LIABILITY COMPANY
 409 FM 1431
 MARBLE FALLS, TEXAS 78654

ENGINEER:
 REPUBLIC ENGINEERING &
 SURVEYING, L.L.C. A TEXAS
 LIABILITY COMPANY
 P.O. BOX 1313
 HARKER HEIGHTS, TEXAS 76748

SURVEYOR:
 FROBISH LAND SURVEYING, PLLC
 P.O. BOX 1411
 BELTON, TEXAS 76713

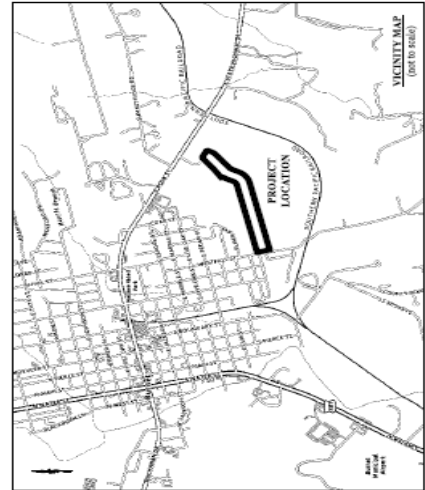


PROJECT TOTALS:

LOTS = 84
 TRACTS = 2
 BLOCKS = 6
 BLOCK AREA = 6.08
 P.L.W. (ANNAK FEET) = 373.00
 TOTAL ACRES = 22.27

NOTES:

- The bearings recited herein are grid bearings derived from GPS observations based on the NAD83(2011) State Plane Coordinate System, Texas Central Zone No. 42B. All distances are horizontal surface distances. The Combined Correction Factor (CCF) = 1.000176.
- This tract is shown to be within Zone "X" (Area of Minimal Flood Hazard), per FEMA's Flood Insurance Rate Map (FIRM) panel for Burnet County, Texas, panel number 480300096, effective 11/01/2019. This does not imply that this tract will, or will not flood, nor does it constitute any warranty or representation by the engineer or surveyor. The purpose of this map is to show the location of the project within the zoning district established by the City of Burnet. No building or any other obstructions shall be placed within utility easements or water quality buffer areas.
- Building setback lines shall comply with the City of Burnet's zoning ordinance.



SCALE: 1" = 1 MI

REPUBLIC ENGINEERING & SURVEYING, L.L.C. IS AN EQUAL OPPORTUNITY EMPLOYER. TEXAS REG. NO. 10001. FROBISH LAND SURVEYING, PLLC IS AN EQUAL OPPORTUNITY EMPLOYER. TEXAS REG. NO. 10001.

Plat Page 4

FINAL PLAT CREEKFALL PHASE 1 AN ADDITION TO THE CITY OF BURNET, BURNET COUNTY, TEXAS, 22.27 ACRES OUT OF THE SARAH ANN GUEST SURVEY, ABSTRACT NO. 1525, BURNET COUNTY, TEXAS.

STATE OF TEXAS
COUNTY OF BURNET

KNOW ALL MEN BY THESE PRESENTS, that **JADE DEVELOPMENT, LLC**, a Texas Limited Liability Company, being the owner of the land shown on this plat designated as **CREEKFALL PHASE 1**, being 22.27 acres out of the Sarah Ann Guest Survey, Abstract No. 1525, Burnet County, Texas, and being part of that called 34.61 acre tract of land as described by a deed to said owner, recorded in Document No. 20240688, Official Public Records of Burnet County, Texas, do hereby join, approve, and consent to all subdivisions and other matters herein set forth, and to the determination and recordation of this subdivision plat and dedicate to the public use forever any easement and right that are shown hereon.

By: Henry T. Lewis, Agent
Jade Development, LLC, a Texas Limited Liability Company

STATE OF TEXAS
COUNTY OF BELL

This instrument was acknowledged before me on the _____ day of _____, 20____, by Henry T. Lewis, Agent for Jade Development, LLC, a Texas Limited Liability Company on behalf of said company.

Notary Public for the State of Texas
My Commission Expires: _____

THE STATE OF TEXAS
COUNTY OF BURNET

The attached plat of **CREEKFALL PHASE 1** has been submitted to and considered by the Planning and Zoning Commission of the City of Burnet, Texas, at its meeting on the _____ day of _____, 20____, and is hereby recommended by such Commission to the City Council of Burnet, Texas for its consideration and approval of the dedication of land for public use as indicated and approval of the plat.

By: _____
Bret Burrows, Chairman
Planning & Zoning Commission

THE STATE OF TEXAS
COUNTY OF BURNET

The attached plat of **CREEKFALL PHASE 1** has been submitted to the City Council of the City of Burnet, Texas, at its meeting on the _____ day of _____, 20____, and was duly considered and found to comply with the requirements of the State of Texas and the City of Burnet, Texas, and is hereby approved and approved by the City Council of the City of Burnet, Texas in accordance with the provisions of the City Charter and the City Ordinance and approved this plat.

Attest: Kelly Dix, City Secretary
Alan Smith, Mayor

THE STATE OF TEXAS
COUNTY OF BURNET

The attached plat of **CREEKFALL PHASE 1** has been submitted to and considered by the City Engineer of the City of Burnet, Texas and has been found to comply with the Subdivision Ordinance of the City of Burnet, Texas.

WITNESS MY HAND AND OFFICIAL SEAL this _____ day of _____, 20____.

By: _____
Jesse Swain, City Engineer

SURVEYORS CERTIFICATE

THE STATE OF TEXAS
COUNTY OF BURNET

I, Luther E. Frobish, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this plat of **CREEKFALL PHASE 1** was prepared from an actual survey made on the ground under my supervision, and that said plat is a true and correct representation of same as located in component parts on the ground.

WITNESS MY HAND AND OFFICIAL SEAL THIS 19th day of January, 2024.



Luther E. Frobish
No. 6300
State of Texas

DONNER BREWER OBER
OWNER REPRESENTATIVE
LIMITED LIABILITY COMPANY
459 FM. ROAD 1431
MARBLE FALLS, TEXAS 78648



REPUBLIC ENGINEERS & DEVELOPMENT SERVICES
P.O. BOX 3123
HARKER HEIGHTS, TEXAS 76648



FROBISH LAND SURVEYING, PLLC
P.O. BOX 1411
BELTON, TEXAS 76513

LINE	BEARING	DISTANCE
1.1	N 49°43'39" E	12.81'
1.2	S 49°43'31" E	48.10'
1.3	S 84°23'24" W	20.71'
1.4	S 89°52'05" W	20.71'
1.5	N 30°23'05" E	13.17'
1.6	N 81°06'41" W	31.30'
1.7	S 85°41'06" E	33.21'

CURVE TABLE:

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	360.00	5.69	S 89°22'09" W	5.69
C2	360.00	5.69	S 69°22'39" W	5.69
C3	330.00	104.95	S 69°22'39" W	104.92
C4	330.00	104.95	S 69°22'39" W	104.92
C5	330.00	104.95	S 69°22'39" W	104.92
C6	330.00	104.95	S 69°22'39" W	104.92
C7	330.00	65.11	S 68°23'38" W	26.11'
C8	330.00	65.11	S 68°23'38" W	26.11'
C9	330.00	65.11	S 68°23'38" W	26.11'
C10	330.00	65.11	S 68°23'38" W	26.11'
C11	330.00	65.11	S 68°23'38" W	26.11'
C12	330.00	65.11	S 68°23'38" W	26.11'
C13	330.00	65.11	S 68°23'38" W	26.11'
C14	330.00	65.11	S 68°23'38" W	26.11'
C15	330.00	65.11	S 68°23'38" W	26.11'
C16	330.00	65.11	S 68°23'38" W	26.11'
C17	330.00	65.11	S 68°23'38" W	26.11'
C18	330.00	65.11	S 68°23'38" W	26.11'
C19	330.00	65.11	S 68°23'38" W	26.11'
C20	330.00	65.11	S 68°23'38" W	26.11'
C21	330.00	65.11	S 68°23'38" W	26.11'
C22	330.00	65.11	S 68°23'38" W	26.11'
C23	330.00	65.11	S 68°23'38" W	26.11'
C24	330.00	65.11	S 68°23'38" W	26.11'
C25	330.00	65.11	S 68°23'38" W	26.11'
C26	330.00	65.11	S 68°23'38" W	26.11'
C27	330.00	65.11	S 68°23'38" W	26.11'
C28	330.00	65.11	S 68°23'38" W	26.11'
C29	330.00	65.11	S 68°23'38" W	26.11'
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C37	330.00	65.11	S 68°23'38" W	26.11'
C38	330.00	65.11	S 68°23'38" W	26.11'
C39	330.00	65.11	S 68°23'38" W	26.11'
C40	330.00	65.11	S 68°23'38" W	26.11'
C41	330.00	65.11	S 68°23'38" W	26.11'
C42	330.00	65.11	S 68°23'38" W	26.11'
C43	330.00	65.11	S 68°23'38" W	26.11'
C44	330.00	65.11	S 68°23'38" W	26.11'
C45	330.00	65.11	S 68°23'38" W	26.11'
C46	330.00	65.11	S 68°23'38" W	26.11'
C47	330.00	65.11	S 68°23'38" W	26.11'
C48	330.00	65.11	S 68°23'38" W	26.11'
C49	330.00	65.11	S 68°23'38" W	26.11'
C50	330.00	65.11	S 68°23'38" W	26.11'
C51	330.00	65.11	S 68°23'38" W	26.11'
C52	330.00	65.11	S 68°23'38" W	26.11'
C53	330.00	65.11	S 68°23'38" W	26.11'
C54	330.00	65.11	S 68°23'38" W	26.11'
C55	330.00	65.11	S 68°23'38" W	26.11'
C56	330.00	65.11	S 68°23'38" W	26.11'



Development Services

ITEM 5.3

Leslie Kimbler
Planner
512-715-3215
lkimbler@cityofburnet.com

Action

Meeting Date: June 3, 2024

Agenda Item: Discuss and consider: **A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, CONDITIONALLY APPROVING THE “FINAL PLAT” OF CREEKFALL PHASE 2 SUBDIVISION, A PROPOSED 20-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 21.65 ACRES:** L. Kimbler

Background: The proposed Final Plat of Creekfall Phase 2 Subdivision (Exhibit A) is a residential subdivision on approximately 21 acres. The proposed subdivision will create 20 residential lots, which are zoned District R-1, with one parkland, drainage, and detention tract.

Four new roads have been created within the subdivision. Water Well Road, Apple Bucket Road, and Bee Hollow Road have been developed to connect with Creekfall Road in Phase 1. Big Sugar Road has also been developed with lots fronting both sides.

The developer has reserved two tracts of land to provide connectivity to adjoining properties designated on the Traffic Impact Analysis which are undeveloped at this time.

The preliminary plat was approved by P&Z and City Council in March of 2021. Construction plans for the subdivision were approved by city staff and engineer in October of 2021.

Staff Analysis: The proposed Final Plat of Creekfall Phase 2 Subdivision has been reviewed using Code of Ordinances Section 98-24 (Final Plats) as a guide. It has been found to comply with ordinance requirements relating to form and content; however, a few minor comments still need to be addressed prior to recordation of the plat.

At the time of submittal, the developer has not completed all necessary improvements for the subdivision; therefore, this proposed resolution is to only approve the Final Plat of Creekfall Phase 2 and not allow the recordation of the plat until such time as the public infrastructure is completed, or surety instrument guaranteeing construction of all

improvements is approved, and the subdivision is preliminarily accepted by City Council.

Recommendation: Discuss and consider the approval of the Final Plat of Creekfall Phase 2 Subdivision. Staff recommends the following motion:

Conditionally approve the Final plat of Creekfall Phase 2 Subdivision subject to the applicant resolving the following matters:

1. Revise the street name from COKE STREET to DESERT DRIVE.
2. Update Signature Blocks [Sec. 98-24(c)(f)]
3. Show location of sidewalks [Sec. 98-24(c)(4)(g)]
4. Revise the designation of the lots reserved for future connectivity; the proposed "lots" do not meet the minimum requirements as set forth in the code [Sec.118-20].
5. Add plat note that reserved tracts will be conveyed upon written approval from the City of Burnet.
6. Add exclusive access easements to tracts designated for future connectivity.
7. Add drainage easements to all drainage tracts [Sec. 98-47(b)].
8. Update plat note number seven to include Phase Three.
9. Add a plat note designating the drainage tracts as lots to be maintained by the HOA [Sec. 98-61(l)].
10. The developer is to satisfy all of the requirements for the water line easement to be valid and binding.

RESOLUTION NO. R2024-XX

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, CONDITIONALLY APPROVING THE “FINAL PLAT” OF CREEKFALL PHASE 2 SUBDIVISION, A PROPOSED 20-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 21.65 ACRES

Whereas, City Council has approved a preliminary plat of the Creekfall Phase 2 Subdivision; and

Whereas, the Planning and Zoning Commission has made its recommendation on the final plat of the Creekfall Phase 2; and

Whereas, the city staff and the city engineer have opined the application substantially complies with the subdivision ordinance; and

Whereas, the plat shall not be recorded until the internal streets and public infrastructure is completed or the applicant provides fiscal security assuring such completion; and

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

Section 1. Findings. That the recitals to this Resolution are incorporated herein for all purposes.

Section 2. Conditional Approval. The Final Plat of Creekfall Phase 2 Subdivision is hereby conditionally approved; subject to the condition recommended by the Planning and Zoning Commission as follow:

1. Revise the street name from COKE STREET to DESERT DRIVE.
2. Update Signature Blocks [Sec. 98-24(c)(f)]
3. Show location of sidewalks [Sec. 98-24(c)(4)(g)]
4. Revise the designation of the lots reserved for future connectivity; the proposed “lots” do not meet the minimum requirements as set forth in the code [Sec.118-20].
5. Add plat note that reserved tracts will be conveyed upon written approval from the City of Burnet.
6. Add exclusive access easements to tracts designated for future connectivity.
7. Add drainage easements to all drainage tracts [Sec. 98-47(b)].
8. Update plat note number seven to include Phase Three.
9. Add a plat note designating the drainage tracts as lots to be maintained by the HOA [Sec. 98-61(l)].

10. The developer is to satisfy all of the requirements for the water line easement to be valid and binding.

Section 3. Recordation. The final plat of the Creekfall Phase 2 Subdivision shall not be recorded in the Public Records of Burnet County, Texas, until such time as the public infrastructure contemplated by said plat is completed, or surety instrument guaranteeing construction of all improvements is accepted, and the subdivision is preliminarily accepted by City Council.

Section 4. Open Meetings. It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

Section 5. Effective Date. That this resolution shall take effect immediately upon its passage, and approval as prescribed by law.

PASSED AND APPROVED this the 11th day of June 2024.

CITY OF BURNET, TEXAS

ATTEST:

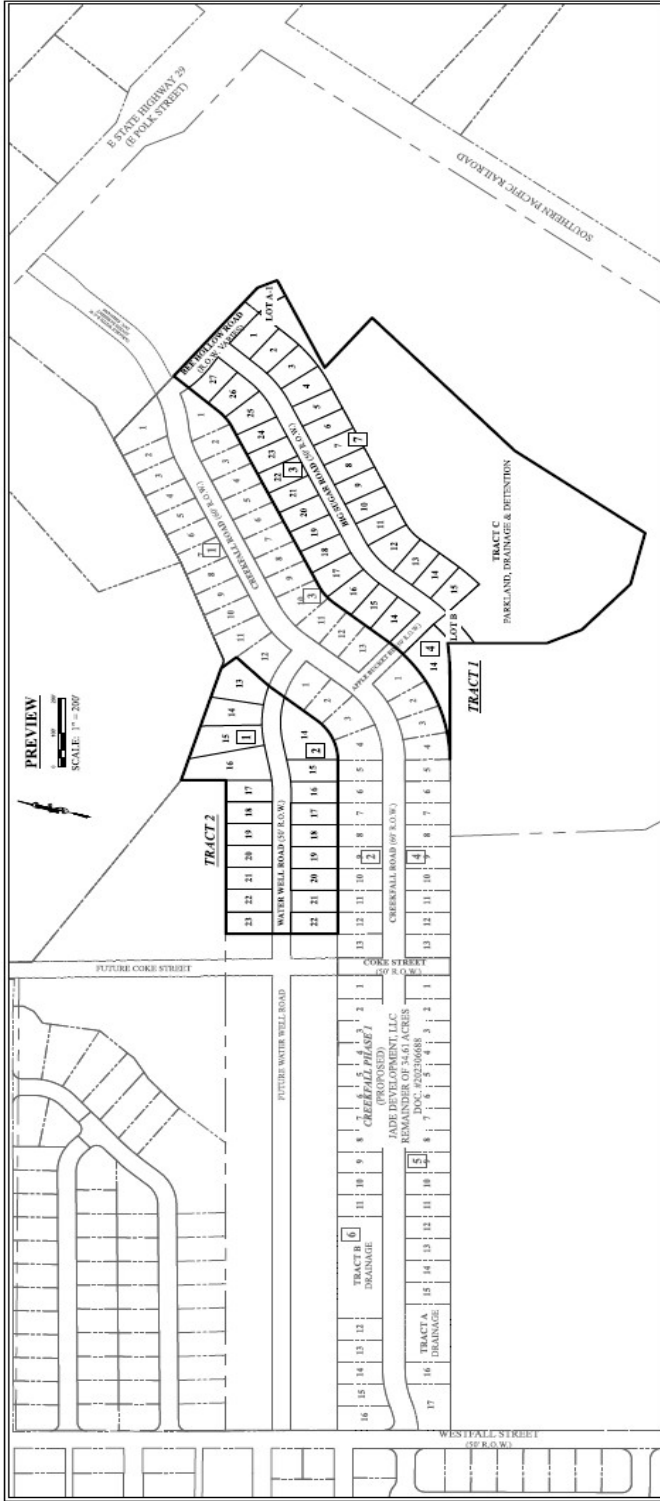
Gary Wideman, Mayor

Maria Gonzales, City Secretary

Exhibit "A"

Plat Page 1

FINAL PLAT CREEKFALL PHASE 2 AN ADDITION TO THE CITY OF BURNET, BURNET COUNTY, TEXAS. 21.65 ACRES OUT OF THE SARAH ANN GUEST SURVEY, ABSTRACT NO. 1525, BURNET COUNTY, TEXAS.



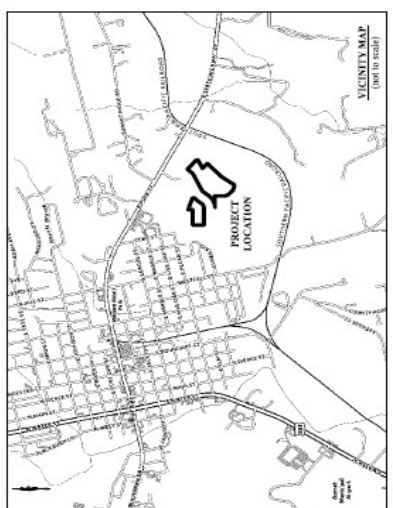
PROJECT TOTALS:
 LOTS - 20
 TRACTS - 3
 R.O.W. ACREAGE - 2.69
 R.O.W. LINEAR FEET - 2488.30
 TOTAL ACREAGE - 21.65

OWNER/DEVELOPER:
 FADE DEVELOPMENT, LLC
 A TEXAS LIMITED LIABILITY COMPANY
 451 PM 1411
 MARBLE FALLS, TEXAS 76644

ENGINEER:
 REPUBLIC ENGINEERING &
 CONSULTANT SERVICES
 P.O. BOX 1312
 HARKER HEIGHTS, TEXAS 76648

SURVEYOR:
 FROBISH AND SURVEYING, PLLC
 P.O. BOX 1411
 BELTON, TEXAS 76513

- NOTES:**
- The building setback lines are not to be construed as minimum setbacks from GPS observations based on the NAD83(2011) State Plane coordinate system, Texas Central Zone No. 4203. All lot lines are horizontal surface elevations. The Combined Corrosion Factor (CCF) = 1.000706.
 - This tract is shown to be within Zone "X" (Area of Minimal Flood Hazard), per FEMA's Flood Insurance Rate Map (FIRM) issued for Burnet County, Texas, panel number 4805030309C. The flood hazard zone is shown for informational purposes only; it will not flood, nor does it create any liability in such areas on the part of this surveyor.
 - This tract's utilities (electricity, water, wastewater) will be serviced by the City of Burnet.
 - No building or any other obstruction shall be placed within utility easements.
 - Building setback lines shall comply with the City of Burnet's zoning ordinance.
 - Other than the easements shown on this plat, all deed covenants are noted in field notes accompanying this plat.
 - The lots designated on this plat as HOA Lot A-1 and HOA Lot B are reserved to provide connectivity to adjoining properties designated on the Traffic Impact Analysis as Phase 4 and Phase 5. This plat shall be returned to the developer of Phase 4 and 5 for such purpose upon completion of Phase 4 and 5. The developer of Phase 4 and 5 shall be responsible for the easements stated in the special warranty deed conveying HOA Lot A-1 and HOA Lot B to the HOA.



FINAL PLAT
CREEKFALL PHASE 2
 AN ADDITION TO THE CITY OF BURNET, BURNET COUNTY, TEXAS,
 21.65 ACRES OUT OF THE SARAH ANN GUEST SURVEY,
 ABSTRACT NO. 1525, BURNET COUNTY, TEXAS.

THE STATE OF TEXAS
 COUNTY OF BURNET

The attached plat of CREEKFALL PHASE 2 has been submitted to and considered by the City Engineer of Burnet, Texas and has been found to comply with the Subdivision Ordinance of the City of Burnet, Texas.

WITNESS MY HAND AND OFFICIAL SEAL this _____ day of _____, 20____.

Jess Swain, City Engineer

STATE OF TEXAS
 COUNTY OF BURNET

KNOW ALL MEN BY THESE PRESENTS, that JADE DEVELOPMENT, LLC, a Texas Limited Liability Company, known as JADE DEVELOPMENT, LLC, a Texas Limited Liability Company, is the owner of the 21.65 acre tract of land out of the Sarah Ann Guest Survey, Abstract No. 1525, Burnet County, Texas, and being part of that called 34.61 acre tract of land as described by a deed to said owner, recorded in Document No. 202306688, Official Public Records of Burnet County, Texas, do hereby join, approve, and consent to all dedications and plat note requirements shown hereon. I do hereby approve this plat and dedicate to the public any easements and roads that are shown hereon.

By: _____
 Henry T. Lewis, Agent
 Jade Development, LLC
 A Texas Limited Liability Company

STATE OF TEXAS
 COUNTY OF BELL

This instrument was acknowledged before me on the _____ day of _____, 20____, by Henry T. Lewis, Agent for Jade Development, LLC, a Texas Limited Liability Company on behalf of said company.

Notary Public for the State of Texas
 My Commission Expires: _____

THE STATE OF TEXAS
 COUNTY OF BURNET

The attached plat of CREEKFALL PHASE 2 has been submitted to and considered by the Planning and Zoning Commission of the City of Burnet, Texas, at its meeting on the _____ day of _____, 20____, and is hereby recommended by such Commission to the City Council of Burnet, Texas for its consideration for acceptance of the dedication of funds for public use as indicated and approval of the plat.

Bret Barham, Chairman
 Planning & Zoning Commission

THE STATE OF TEXAS
 COUNTY OF BURNET

The attached plat of CREEKFALL PHASE 2 has been submitted to the City Council of the City of Burnet, Texas, at its meeting on the _____ day of _____, 20____, and was duly considered and found to comply with the laws and ordinances of the State of Texas and the City Ordinance of the City of Burnet, Texas. I do hereby approve this plat and dedicate to the public any easements and roads that are shown hereon.

Attest: _____
 Kelly Dick, City Secretary

STATE OF TEXAS
 COUNTY OF BURNET

KNOW ALL MEN BY THESE PRESENTS, that CREEKFALL DEVELOPMENT, LLC, a Texas Limited Liability Company, known as CREEKFALL DEVELOPMENT, LLC, a Texas Limited Liability Company, is the owner of the 21.65 acre tract of land out of the Sarah Ann Guest Survey, Abstract No. 1525, Burnet County, Texas, and being part of that called 51.97 acre tract of land as described by a deed to said owner, recorded in Document No. 202014095, Official Public Records of Burnet County, Texas, do hereby join, approve, and consent to all dedications and plat note requirements shown hereon. I do hereby approve this plat and dedicate to the public any easements and roads that are shown hereon.

By: _____
 Gary Wade Dilbeck, Agent
 Creekfall Development, LLC
 A Texas Limited Liability Company

STATE OF TEXAS
 COUNTY OF BELL

This instrument was acknowledged before me on the _____ day of _____, 20____, by Gary Wade Dilbeck, Agent for Creekfall Development, LLC, a Texas Limited Liability Company on behalf of said company.

Notary Public for the State of Texas
 My Commission Expires: _____

SURVEYOR'S CERTIFICATE

THE STATE OF TEXAS
 COUNTY OF BURNET

I, Luther E. Frobish, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this plat of CREEKFALL PHASE 2 was prepared from an actual survey made on the ground under my supervision, and that said plat is a true and correct representation of same as I located its component parts on the ground.

WITNESS MY HAND AND OFFICIAL SEAL THIS 24th day of January, 2024.

Luther E. Frobish, R.P.L.S.
 No. 6200
 State of Texas





Development Services

ITEM 5.4

Leslie Kimbler
Planner
512-715-3215
lkimbler@cityofburnet.com

Action

Meeting Date: June 3, 2024

Agenda Item: Discuss and consider: **A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, CONDITIONALLY APPROVING THE “FINAL PLAT” OF SOUTH HWY 281 DELAWARE COMMERCIAL, A PROPOSED 3-LOT COMMERCIAL SUBDIVISION CONSISTING OF APPROXIMATELY 19.65 ACRES:** L. Kimbler

Background: The proposed South Hwy 281 Delaware Commercial (Exhibit A), located just past Sunday Drive and before Ramsey’s Way, is zoned Heavy Commercial – District “C-3”. The subdivision will create one new road, Trailside Drive, which will connect to a residential subdivision, as well as provide inter-connectivity with the commercial property located to the north.

The preliminary plat was approved by P&Z and City Council in April of 2023. Construction plans for the subdivision were approved by city staff and engineer in May of 2024.

Staff Analysis: The proposed Final Plat of South Hwy 281 Delaware Commercial has been reviewed using Code of Ordinances Section 98-24 (Final Plats) as a guide. It has been found to generally comply with ordinance requirements relating to form and content; however, the applicant must still satisfy the requirement of receiving TxDOT permit approval.

At the time of submittal, the developer had not started any improvements for the subdivision; therefore, this proposed resolution is to only approve the Final Plat of South Hwy 281 Delaware Commercial and not allow the recordation of the plat until such time as the public infrastructure is completed, or surety instrument guaranteeing construction of all improvements is approved, and the subdivision is preliminarily accepted by City Council.

Recommendation: Discuss and consider the approval of the Final Plat of South Hwy 281 Delaware Commercial Subdivision. Staff recommends the following motion:

Conditionally approve the Final plat of South Hwy 281 Delaware Commercial Subdivision subject to the applicant receiving TxDOT permit approval.

RESOLUTION NO. R2024-XX

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, CONDITIONALLY APPROVING THE “FINAL PLAT” OF SOUTH HWY 281 DELAWARE COMMERCIAL, A PROPOSED 3-LOT COMMERCIAL SUBDIVISION CONSISTING OF APPROXIMATELY 19.65 ACRES

Whereas, City Council has approved a preliminary plat of the South Hwy 281 Delaware Commercial Subdivision; and

Whereas, the Planning and Zoning Commission has made its recommendation on the final plat of the South Hwy 281 Delaware Commercial Subdivision; and

Whereas, the city staff and the city engineer have opined the application substantially complies with the subdivision ordinance; and

Whereas, the plat shall not be recorded until the streets and public infrastructure is completed or the applicant provides fiscal security assuring such completion.

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

Section 1. Findings. That the recitals to this Resolution are incorporated herein for all purposes.

Section 2. Conditional Approval. The Final Plat of South Hwy 281 Delaware Commercial Subdivision is hereby conditionally approved; subject to the condition recommended by the Planning and Zoning Commission as follow:

- Applicant should receive TxDOT approval

Section 3. Recordation. The Final plat of South Hwy 281 Delaware Commercial Subdivision shall not be recorded in the Public Records of Burnet County, Texas, until such time as the public infrastructure contemplated by said plat is completed, or surety instrument guaranteeing construction of all improvements is accepted, and the subdivision is preliminarily accepted by City Council.

Section 4. Open Meetings. It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

Section 5. Effective Date. That this resolution shall take effect immediately upon its passage, and approval as prescribed by law.

PASSED AND APPROVED this the 11th day of June 2024.

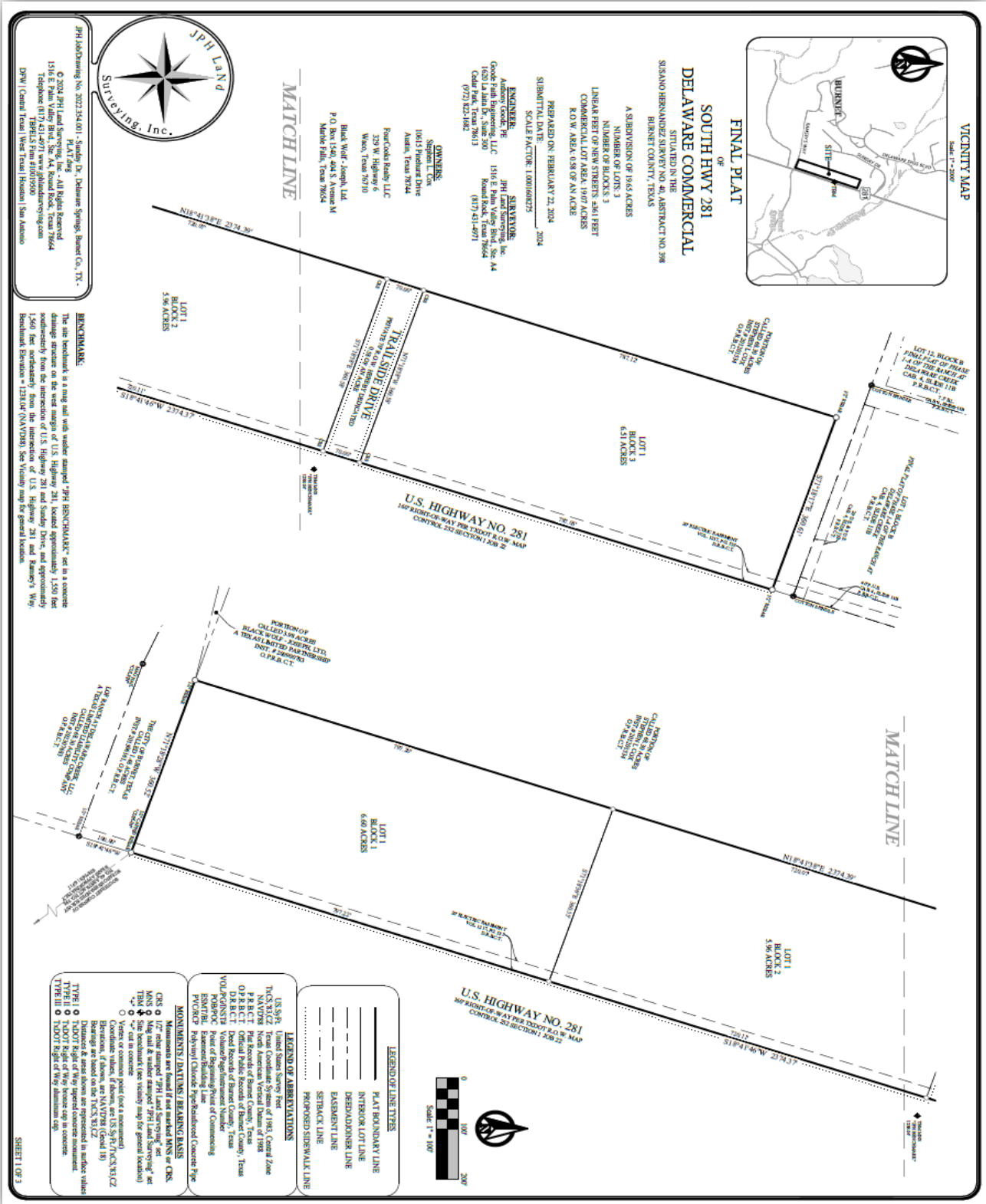
CITY OF BURNET, TEXAS

ATTEST:

Gary Wideman, Mayor

Maria Gonzales, City Secretary

Exhibit "A" Plat



PH LandSurveying, Inc. - All Rights Reserved
 2024 PH Land Surveying, Inc. - All Rights Reserved
 1516
 Telephone (817) 431-4971 www.phlandsurveying.com
 T898155 Print #10101900
 DPM (County Trust) West Houston (San Antonio)



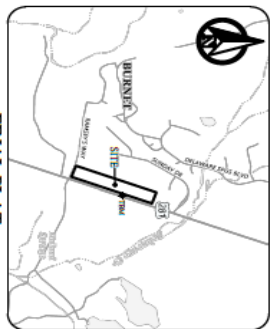
MATCH LINE

OWNERS
 SPECTRA CORP.
 10515
 Amana, Texas 78704
FourCooks Realty LLC
 329 W. Highway 6
 Waco, Texas 76710
Black Wolf Ranch, Ltd.
 P.O. Box 1502, Oak Hills, Texas 78054
Matche Park, Texas 78054

ENGINEER
 JPH Land Surveying, Inc.
 1516
 Round Rock, Texas 78664
 (817) 431-4971
 (772) 322-1082

PREPARED ON FEBRUARY 22, 2024
 SUBMITTAL DATE: _____ 2024
 SCALE FACTOR: 1.000169275

FINAL PLAT OF SOUTH HWY 281 DELAWARE COMMERCIAL
 SITUATED IN THE SIXSAND HERMANDEZ SURVEY NO. 40, ABSTRACT NO. 398
 BURNETT COUNTY, TEXAS



BENCHMARK
 The site benchmark is a mag nail with wooden stamp "PH BENCHMARK" set in a concrete drainage structure on the west margin of U.S. Highway 281, located approximately 1,500 feet southwesterly from the intersection of U.S. Highway 281 and Stanley Drive, and approximately 1,500 feet northeasterly from the intersection of U.S. Highway 281 and Ramsey's Way. Benchmark Elevation = 1238.04' (NAVD83). See Vicinity map for general location.

LEGEND OF LINE TYPES
 PLAT BOUNDARY LINE
 INTERIOR LOT LINE
 EASEMENT/ADJONER LINE
 EASEMENT LINE
 SETBACK LINE
 PROPOSED SIDEWALK LINE

LEGEND OF ABBREVIATIONS
 U.S. SURV. United States Survey Feet
 T.C.S. & V.C.Z. Texas Central Standard Zone
 P.R.B.C.T. Plat Records of Burnett County, Texas
 O.P.R.B.C.T. Official Public Records of Burnett County, Texas
 V.O.L.P.R.C.T. Voluntary Plat Records of Burnett County, Texas
 P.O.P.R.P.C. Plat of Beginning/Point of Commencement
 E.S.W.T.R.L. Easement/Right-of-Way
 P.V.C.P.C.P. Relatively Obsolete Type-Redeemed Concrete Type

MONUMENTS/DATUMS/BEARING LINES
 Measurements are found if not stated: HANS or CNS
 ONS - Old Non-Surveyed Plat
 MNS - Monument Non-Surveyed Plat
 TRN - True North
 * - cut in concrete
 + - cut in concrete
 Distance & area shown are represented in surface unless otherwise noted.
 Bearings, if shown, are NAVD83 (Goid 10)
 Bearings are based on the T.C.S. & V.C.Z.
 TYPE I - TOOT Right of Way
 TYPE II - TOOT Right of Way
 TYPE III - TOOT Right of Way
 TYPE IV - TOOT Right of Way

U.S. HIGHWAY NO. 281
 1/4" SECTION 25 CONTROL 252 SECTION 1 AOB 2



SHEET 1 OF 3