

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 70.851 ACRES OF LAND SITUATED IN THE D. DYKES SURVEY, ABSTRACT NO. 229, AND IN THE F.A. CLARAGE SURVEY, ABSTRACT NO. 142, JOHNSON COUNTY, TEXAS, BEING A PORTION OF THAT TRACT OF LAND CONVEYED TO BURLESON 4A ECONOMIC DEVELOPMENT CORPORATION IN THAT DEED RECORDED IN INSTRUMENT NO. 2021-21498, DEED RECORDS, JOHNSON COUNTY, TEXAS (D.R.J.C.T.), TOGETHER WITH A PORTION OF THAT CERTAIN TRACT OF LAND CONVEYED TO BURLESON DEVELOPMENT, INC., IN THAT DEED RECORDED IN INSTRUMENT NO. 2017-24891, (D.R.J.C.T.); FROM PLANNED DEVELOPMENT (PD) TO PLANNED DEVELOPMENT (PD); MAKING THIS ORDINANCE CUMULATIVE OF PRIOR ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, 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 **Chad Turnbull representing Craftmasters and Burleson 4A Economic Development Corporation** on **October 16, 2023**, under **Case Number 23-308**, 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 classification of **Planned Development (PD)** to **Planned Development (PD)**; and

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

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

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

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

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

**Section 1
MAP AND ZONING
AMENDMENT**

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

**Section 2
DEVELOPMENT STANDARDS**

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

A. GENERAL DESCRIPTION: The purpose of this district is for Commercial Trade School, Retail, Office, and Commercial Uses as specifically stated in this Ordinance. Access shall be allowed from access drives or parking areas connecting to adjacent public roadways. Requirements for development shall be governed by standards as described below.

B. EXHIBITS AND PROCEDURE:

- a. Conceptual Site Plan. The Property shall be developed in general conformance with the Conceptual Site Plan, attached hereto as “**Exhibit A**” (the “Conceptual Site Plan”).
- b. Conceptual Landscape Plan. Landscaping shall be provided in general conformance with the Conceptual Landscape Plan, attached hereto as “**Exhibit B**” (the “Conceptual Landscape Plan”).
- c. Conceptual Sidewalk and Trailway Plan. Pedestrian sidewalks and trailways shall be developed in general conformance with the Conceptual Sidewalk and Trailway Plan, attached hereto as “Exhibit C” (the “Conceptual Sidewalk and Trailway Plan”).
- d. Conceptual Pedestrian and Parking Lighting Plan. Except as provided in Section K of this ordinance, pedestrian and parking lighting on the main campus shall be provided in general conformance with the Conceptual Pedestrian and Parking Lighting Plan, attached hereto as “Exhibit D” (the “Conceptual Pedestrian and Parking Lighting Plan”).
- e. Conceptual Sign Plan. Except as provided in Section J of this ordinance, signage on the main campus shall be provided in general conformance with the Conceptual Sign Plan, attached hereto as “Exhibit E” (the “Conceptual Sign Plan”).
- f. Development of Area A. Development and use of Area A shall comply with a final site plan, submitted to the City in accordance with the City of Burleson Code of Ordinances.
- g. Main Campus Character Elevations. Main campus character elevations are attached hereto as “Exhibit F”, and are illustrative of the conceptual building designs for primary buildings on the campus (the “Character Elevations”). While these images are not intended to be an exact or final representation of the final building designs, primary buildings on the campus shall generally conform to architectural design and materials represented in the images.

C. DEFINITIONS:

- a. *Area A* means the proposed future expansion area, as depicted on the Conceptual Site Plan.
- b. *Campus housing* means residential facilities for housing students, faculty, staff, or groundskeepers of the commercial trade school.
- c. *Commercial trade school* means a business organized to operate for a profit and offering instruction and training in a trade such as welding, brick laying, machinery operation, and similar manual trades. For purposes of this ordinance, commercial trade school shall include instruction and training related to topics such as: agriculture, building information modeling, carpentry, concrete, construction technology, electrical work, fabrication, heavy equipment operation, HVAC installation and repair, irrigation, landscaping, masonry, plumbing, project management, robotics, stonework, and water processing.
- d. *Food truck area* means the area where food trucks may be located, as depicted on the Conceptual Site Plan.
- e. *Internal fencing* means any fencing that is located 20 feet or more from the property line or 100 feet or more from a public right-of-way.
- f. *Main campus* means the initial phase of development on the Property, as depicted on the Conceptual Site Plan.
- g. *Professional artisan workshop* means an establishment used by a skilled craft worker for the production, processing, or manufacturing of specialty or craft goods by the use of hand tools or mechanical equipment.

D. PERMITTED USES: Land uses permitted are as follows:

Permitted Uses

Café (drive in or not drive in type)

College or university

Commercial trade school

Professional artisan workshop (limited to 5,000 square feet of floor area)

Accessory Uses Allowed

Accessory building

Food Truck

Off-street parking

Parking lot or structure

Specific Use Permit Required

Campus housing (permitted in Area A only)

E. BULK RESTRICTIONS:

- a. Minimum Lot Area – ten thousand (10,000) square feet)
- b. Maximum Lot Coverage – no more than sixty-five percent (65%) of the total lot area shall be covered by the combined area of the main buildings and accessory buildings.
- c. Minimum Lot Width – one hundred feet (100')
- d. Minimum Front Yard – twenty feet (20')
- e. Side Yard – a side yard adjacent to a public street shall be a minimum of fifteen feet (15'). A side yard adjacent to a residential or commercial lot shall be a minimum of ten feet (10'). Nothing in this section is intended to or shall eliminate or supersede any requirements of the City of Burleson's building or fire codes that establish regulations dealing with building separations or fire resistive construction.
- f. Minimum Rear Yard – minimum depth of the rear yard shall be ten feet (10') when adjacent to a residential use. Otherwise it is zero feet (0').
- g. Shipping containers related to a commercial trade school may be used for storage purposes or in a manner consistent with the construction industry, but shall not be used as classrooms. Shipping containers shall be located on a concrete foundation or constructed in a manner that is consistent with permanent structures under the City of Burleson's Code of Ordinances. The number of shipping containers permitted on the property shall not exceed a total of one (1) per three (3) acres. Shipping containers shall not be located within 200 feet of a public right-of-way and shall be painted to meet aesthetic design of the main campus. Shipping containers may not be stacked and shall be screened in accordance with Section M of this Ordinance.

F. CAMPUS HOUSING BULK RESTRICTIONS: The bulk restrictions for campus housing shall be determined at the time of SUP.

G. CAFÉ SEATING: Outdoor café seating for restaurant, café, deli or coffee shop uses shall be permitted but the café seating must be contained within the building's private lot or privately owned common areas. Café seating may not extend into public right-of-way.

H. PARKING: Parking requirements within the Planned Development Commercial Tracts shall be based on the City of Burleson Zoning Ordinance requirements for the types and sizes of proposed uses, except as modified below.

- a. For non-residential uses, parking shall be provided at the minimum rate of 1.5 spaces per 1,000 square feet of floor area.
- b. For campus housing, parking shall be determined at time of SUP.
- c. Shared parking agreements are permissible between allowed commercial uses with the prior approval of the City of Burleson.
- d. Required parking areas shall meet the requirements of the City of Burleson Code of Ordinances. Additional surface parking areas in excess of what is required for the

use may be paved or consist of other impervious or pervious materials, including: concrete; asphalt; gravel; concrete masonry product, such as pavers; or permeable and semi-pervious paving system designed to support vehicular and pedestrian traffic, while allowing grass or vegetation to grow within the open cells of the pavement. Any area designated as a fire lane shall be constructed in accordance with the relevant City standards.

I. ARCHITECTURAL STYLE: Primary buildings on the main campus shall be designed in an architecturally similar manner as the Character Elevations.

J. DETAILED SIGN PLAN:

- a. For purposes of signage related to a commercial trade school, a detailed sign plan application shall be submitted to City Council for review and approval. Unless excepted by the City of Burleson's Code of Ordinances, a sign permit application shall be submitted and no permanent sign shall be constructed until a building permit has been approved by the building official in accordance with the Code. A detailed sign plan application shall include:
 - i. Proposed sign palette, which may include any combination of sign types;
 - ii. Location of all proposed signs included in the sign palette;
 - iii. Size and number of all proposed signs including maximum area, letter height, number, and height;
 - iv. Materials proposed for all signs and sign structures;
 - v. Color and style palette for all signs (letter colors, background colors, text fonts, etc.) including context of where signs are to be placed on any given facade;
 - vi. Type of illumination proposed, and whether external or internal;
 - vii. Landscaping or ornamental structures including fences, fountains, public art, ground cover, and other landscaping elements that are intended to complement the proposed sign palette and design; and
 - viii. Any other information as required by the decision-making bodies.

K. LIGHTING:

- a. Lighting shall be designed as an integral part of the building and site design and shall be compatible and harmonious throughout the entire development and shall be in keeping with the specific function and building type served.
- b. Light fixtures shall be compatible with the colors and materials of the building architecture.
- c. Lighting shall use consistent fixtures, lamp type, and illumination levels.
- d. Lighting illumination will be provided for all parking areas.
- e. The orientation of the fixture and the pattern of light created shall be so designed so as to avoid glare of light intrusion into the sky, a public way, street or adjacent property.
- f. All exterior illumination shall comply with the ordinance, rules and regulations of the city.

- g. All parking and loading areas shall be illuminated utilizing full cut-off fixtures and shall have fixtures no taller than 35 feet.

L. LANDSCAPING: For purposes of landscaping, the entire Property shall be considered one lot and shall be provided in general conformance with the Conceptual Landscape Plan, subject to the following:

- a. A minimum of 15 percent of the Property shall be devoted to landscaping.
- b. Phasing. Where construction is to be a single phase or multi-phase development, only the area being constructed in the current phase shall be required to comply with the landscaping regulations. For example, landscaping for the main campus shall be provided with construction of the main campus, and landscaping for Area A shall be provided with construction of Area A.
- c. Tree species. Unless otherwise approved by the Director of Development Services, trees shall be provided in accordance with the approved species specified under the City of Burlison's Code of Ordinances.
- d. Transitional landscaping.
 - i. A 20 foot landscape strip shall be provided along any non-residential use abutting a single family residential district, as in existence at the time of passage of this ordinance, except along the eastern property line. Said landscape buffer may be located within the front yard or within an easement area. Planting material within the landscape strip shall include at least one (1) large canopy tree each 50 linear feet. For every five (5) large canopy trees, one (1) small ornamental tree shall be provided. One (1) large canopy tree may be replaced with two (2) small ornamental tree.
 - ii. Trees may be grouped or clustered to facilitate site design.
 - iii. A pedestrian pathway shall be provided to create connectivity between the main campus and the Chisholm Summit development.
- e. Parking lot landscaping.
 - i. A single row of shrubs shall be placed at the edge of parking areas within a dedicated planting bed to provide screening of parking areas from view along a public right-of-way, as depicted in the Conceptual Landscape Plan. Planting material shall include a minimum two and one-half (2 ½) feet tall hedge of evergreen shrubs at time of planting, spaced no greater than three (3) feet on center, or a minimum two and one-half (2 ½) foot tall grass berm, or a combination of the two. Such landscaping or berms shall not conflict with any sight easements.
 - ii. Parking aisles that shall terminate in landscape islands, which shall be vegetated with trees, plantings, grass, or shrubs.
 - iii. Within parking lot interiors, areas that are not covered with live plant materials shall be permanently maintained with decorative stone or natural mulch materials such as hard wood, pine bark, or other typical mulch materials.

M. FENCING AND SCREENING: For purposes of fencing and screening, the entire Property shall be considered one lot and shall comply with the following regulations:

- a. Fencing.
 - i. External fencing. External fencing shall comply with the requirements of the Burleson Code of Ordinances, Chapter 36, “Fencing and Screening Regulations”, except as provided below:
 - (a) No fencing shall be required along any non-residential use abutting a single family residential district, as in existence at the time of passage of this ordinance.
 - ii. Internal fencing. Internal fencing shall be permitted, provided the fencing is comprised of common fencing material (excluding galvanized chain link, barbed wire or electric fences) and no more than 8 feet in height.
- b. Screening. Screening shall comply with the Burleson Code of Ordinances, Chapter 36, “Fencing and Screening Regulations”, except as provided below:
 - i. Mechanical equipment screening.
 - (a) Total screened areas of the roof-mounted equipment may be 100 percent of the roof area of the structure.
 - (b) When the total screened area(s) of roof-mounted equipment exceeds 25 percent of the roof area, screening shall be constructed using a material that is architecturally compatible with the main structure, at least as high as the roof-mounted equipment.
 - (c) Screening shall not be required for ground-level mechanical equipment that is not visible from the public right-of-way and used for educational purposes related to the campus.
 - ii. Outdoor storage screening.
 - (a) Screening shall not be required for outdoor storage that is used for educational purposes related to the campus.
 - iii. Loading area screening.
 - (a) A loading dock or truck berth that that is located 20 feet or more from the property line or 100 feet or more from a public right-of-way shall not require screening.
 - iv. Transitional screening.
 - (a) Transitional screening shall only be required when non-residential uses abut residential uses, as in existence at the time of passage of this ordinance.
 - (b) When abutting a residential use, live screening using natural growth or planted vegetation shall be permitted. Planting material shall include a minimum four (4) feet tall hedge of evergreen shrubs at time of planting, spaced no greater than four (4) feet on center, or a minimum four (4) foot tall grass berm, or a combination of the two.
 - (c) Transitional screening or buffering shall not be required along private alleys, streets, or easement areas.
 - v. Shipping containers.
 - (a) Shipping containers shall be screened from a public right-of-way.

N. FOOD TRUCKS: Food trucks that are accessory to a commercial trade school shall be permitted subject to the following:

- a. For purposes of this ordinance and permitting, the food truck area shall not be considered a food truck park or food truck operation site, as defined in the City of Burleson's Code of Ordinances.
- b. No more than eight (8) food trucks shall be permitted in the food truck area.
- c. Additional standards. Except as provided below, each food truck shall be required to comply with the provisions of Chapter 14, Article 5, Section 14-240, Food trucks, of the City of Burleson's Code of Ordinances, as it relates to the operation of a single food truck.
 - i. Sanitary facilities shall be made available to the satisfaction of the City Manager or his/her designee.
 - ii. Electrical, outlet access, temporary pole, or use of generator is permitted. Food truck must be self-contained and where the water and wastewater service provided by commissary.
 - iii. Operation of the food truck shall not impede on the minimum existing parking use requirements of this ordinance.
 - iv. A food truck shall only be allowed to engage in sales or food service during the hours of operation of the main campus.
 - v. Food trucks shall be subject to the noise requirements of Chapter 34, Article V of the City of Burleson's Code of Ordinances.
 - vi. The vicinity around the food truck shall be kept clean and free of debris.

O. BUILDING HEIGHT: Maximum Building Height within the Planned Development shall be six (6) stories. Additional height may be granted by City Council with the formal submittal of a site plan.

P. STREET TREES: Street trees of three (3) inch caliper or more will be located on no more than thirty (30) foot spacing on private property along both sides of all public right-of-ways. As depicted on the Conceptual Landscape Plan, street trees planted along Lakewood Drive shall extend slightly beyond the main campus near Area A to ensure consistency in growth and maturity of the site. The developer and City Staff will coordinate the placement of street trees along Lakewood Drive to ensure species and spacing consistency with the City of Burleson's median and public right-of-way landscaping. The Director of Development Services may authorize a deviation in spacing, not to exceed 10 percent, to ensure consistent and healthy planting of street trees along Lakewood Drive only. Street tree species shall be in accordance with Article 86-81 of the City Landscape Ordinance.

Q. SITE PLAN:

1. A final site plan is required for development and use of Area A within this PD Ordinance.
2. The site plan shall be submitted concurrently or in advance of the final plat and engineering plans for a particular development tract. Approval of the site plan is required prior to issuance of any Development Permit or Building Permit for a

- development parcel.
3. Detail site plan requirements are contained in the City of Burleson Code of Ordinances but at a minimum the site plan shall address:
 - a. Location and size of all parking lots and parking spaces, loading areas, vehicular circulation paths, and proposed access points to adjacent property and the public street system.
 - b. Building size and location within the property.
 - c. Building setback lines.
 - d. Location of creeks, ponds, detention facilities (if applicable) and all proposed major drainage facilities.
 - e. Location and route of major water and sewer facilities required to serve the property.
 - f. Location of tree masses to be preserved.
 - g. Location and type of proposed screening.
 - h. Type and location of proposed signage.
 - i. Sidewalks and trail connections that comply with this PD Ordinance.
 - k. Conceptual building elevations noting the composition and percentages of proposed building materials.

R. AMBIGUITY IN REGULATIONS: If these standards do not regulate a particular aspect of development, or there is ambiguity between these regulations and the City of Burleson Code of Ordinances, then such aspect of development shall be rerated as follows:

If the type of land use affected by the ambiguity in regulation or lack of regulation is related to the development of commercial property, then the standards applied for resolving an issue shall be those that would be applicable if the property in question was zoned C.

S. STREETS: Except for the main entrance and service entrance depicted on the Conceptual Site Plan, driveways, intersections, and fire lanes for site development shown on the exhibits to this Ordinance are shown for illustrative purposes only. The location, configuration, spacing and construction of streets will be determined at the time of final site plan and shall be provided in conformance with all applicable sections 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"

DESCRIPTION OF PROPERTY

LEGAL DESCRIPTION:

A TRACT OF LAND SITUATED IN THE D. DYKES SURVEY, ABSTRACT NO. 229, AND IN THE F.A. CLARAGE SURVEY, ABSTRACT NO. 142, JOHNSON COUNTY, TEXAS, BEING A PORTION OF THAT TRACT OF LAND CONVEYED TO BURLESON 4A ECONOMIC DEVELOPMENT CORPORATION IN THAT DEED RECORDED IN INSTRUMENT NO. 2021-21498, DEED RECORDS, JOHNSON COUNTY, TEXAS (D.R.J.C.T.), TOGETHER WITH A PORTION OF THAT CERTAIN TRACT OF LAND CONVEYED TO BURLESON DEVELOPMENT, INC., IN THAT DEED RECORDED IN INSTRUMENT NO. 2017-24891, D.R.J.C.T., AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND IN THE NORTHWESTERLY LINE OF SAID BURLESON DEVELOPMENT, INC., TRACT, FOR THE MOST SOUTHERLY CORNER OF SAID BURLESON 4A ECONOMIC DEVELOPMENT CORPORATION TRACT AND FOR THE MOST EASTERLY CORNER OF A TRACT OF LAND CONVEYED TO ANIMAL PANCAKES LLC. IN THAT DEED RECORDED IN VOLUME 4313, PAGE 277, D.R.J.C.T.;

THENCE ALONG THE NORTHEASTERLY LINE OF SAID ANIMAL PANCAKES LLC. TRACT N 44°44'59" W, A DISTANCE OF 1948.77 FEET TO A 1/2" IRON ROD SET WITH A CAP STAMPED "RPLS 5544" AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 1940.00 FEET, WHOSE LONG CHORD BEARS S 86°16'52" E, 2532.10 FEET;

THENCE LEAVING SAID NORTHEASTERLY LINE ALONG SAID NON-TANGENT CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 81°28'35", AN ARC LENGTH OF 2758.74 FEET TO A 1/2" IRON ROD SET WITH A CAP STAMPED "RPLS 5544";

THENCE S 45°32'35" E, A DISTANCE OF 247.61 FEET TO A POINT;

THENCE S 44°23'42" E, A DISTANCE OF 1673.97 FEET TO A POINT;

THENCE S 27°32'42" E, A DISTANCE OF 758.60 FEET TO A POINT IN THE SOUTHWESTERLY LINE OF SAID BURLESON DEVELOPMENT, INC., TRACT;

THENCE N 45°14'59" W ALONG SAID SOUTHWESTERLY LINE, A DISTANCE OF 455.81 FEET TO A 3/4" IRON ROD FOUND IN THE SOUTHEASTERLY LINE OF SAID ANIMAL PANCAKES LLC. TRACT FOR THE MOST WESTERLY CORNER OF SAID BURLESON DEVELOPMENT, INC., TRACT;

THENCE N 45°42'36" E ALONG SAID SOUTHEASTERLY LINE AND THE NORTHWESTERLY LINE OF SAID BURLESON DEVELOPMENT, INC., TRACT, A DISTANCE OF 718.16 FEET TO THE POINT OF BEGINNING AND CONTAINING 70.851 ACRES OF LAND MORE OR LESS.

Exhibits “A through F” contained on the following pages:

Exhibit A – Conceptual Site Plan

Exhibit B – Conceptual Landscape Plan

Exhibit C – Conceptual Sidewalk and Trailway Plan

Exhibit D – Conceptual Pedestrian and Parking Lighting Plan

Exhibit E – Conceptual Signage Plan

Exhibit F – Character Elevation