



CITY OF BURNET

PLANNING AND ZONING

ITEM BRIEF

Meeting Date

August 4, 2025

Agenda Item

Public hearing and action: Resolution No. R2025-63: L. Kimbler

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE "FINAL PLAT" OF CREEKFALL PHASE 3 SUBDIVISION, A PROPOSED 115-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 37.72 ACRES; AND ACCEPTING A PERFORMANCE BOND ASSURING COMPLETION OF SUBDIVISION INFRASTRUCTURE

1. Staff presentation
2. Public Hearing
3. Discuss and consider action

Information

The proposed Final Plat of Creekfall Phase 3 Subdivision (Exhibit A) is a single-family residential subdivision with 115 residential lots and four drainage tracts. This subdivision will extend the existing streets, Desert Drive and Big Sugar Road, into the subdivision and has created five new roads to be named: Gristmill Road, Wheel Horse Road, Bridle Road, Prairie Dew Road, and Hayburner Road. The subdivision has also provided additional future connections for surrounding undeveloped properties.

The preliminary plat was approved by P&Z and City Council in March of 2022. Construction plans for Creekfall Phase 3 Subdivision were approved by city staff and engineer in January 2025.

Staff Analysis

The proposed Final Plat of Creekfall Phase 3 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.

The applicant will be submitting a Performance Bond assuring the completion of the subdivision infrastructure which allows the applicant to file the Final Plat. The proposed Resolution accepts the Performance Bond subject to the following:

- (a) The public improvements are completed and preliminary accepted before August 12, 2026; and
- (b) At the time of preliminary acceptance of the public improvements the subdivider provides a warranty or maintenance bond, assuring the quality of materials and workmanship, and maintenance of all public improvements; and
- (c) Failure to timely complete the public improvements shall cause the city manager to draw on the performance bond to complete the public improvements; and
- (d) The public improvements shall not be accepted until all improvements have been satisfactorily completed; and
- (e) The city shall withhold all city services to the subdivision until the public improvements are satisfactorily completed and accepted.

Recommendation

Open the public hearing. At the conclusion of the public hearing, discuss and consider the draft resolution.

RESOLUTION NO. R2025-63

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE “FINAL PLAT” OF CREEKFALL PHASE 3 SUBDIVISION, A PROPOSED 115-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 37.72 ACRES; AND ACCEPTING A PERFORMANCE BOND ASSURING COMPLETION OF SUBDIVISION INFRASTRUCTURE

WHEREAS, the City Council of the City of Burnet (City Council), Texas, has approved the Final Plat of Creekfall Phase 3 Subdivision; and

WHEREAS, the Planning and Zoning Commission has made its recommendation on the Final Plat of Creekfall Phase 3 Subdivision; and

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

WHEREAS, accordance with City Code Sec. 98-61, the applicant has requested the final plat be recorded after approval and that the applicant be allowed to provide a performance bond to assure applicant's completion of infrastructure after plat recordation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF BURNET, TEXAS, AS FOLLOWS:

Section One. Findings. The recitals set out above are hereby approved and incorporated herein for all purposes.

Section Two. Approval. The Final Plat of Creekfall Phase 3 Subdivision is hereby approved.

Section Three. Performance Bond Accepted. The Performance Bond is accepted, subject to the following:

- (a) The public improvements are completed and preliminarily accepted before August 12, 2026; and
- (b) At the time of preliminary acceptance of the public improvements the subdivider provides a warranty or maintenance bond, assuring the quality of materials and workmanship, and maintenance of all public improvements; and
- (c) Failure to timely complete the public improvements shall cause the city manager to draw on the performance bond to complete the public improvements; and

- (d) The public improvements shall not be accepted until all improvements have been satisfactorily completed; and
- (e) The city shall withhold all city services to the subdivision until the public improvements are satisfactorily completed and accepted.

Section Four. Authorization. The city manager is authorized and directed to take those actions that are reasonably necessary to facilitate the purpose of this Resolution. Further, the city manager is to draw on the performance bond to complete the public improvements, without any further city council action necessary, should the subdivider fail to complete the public improvements within the period prescribed in this resolution.

Section Five. Recordation. The Final Plat of Creekfall Phase 3 Subdivision may be recorded in the Public Records of the County Clerk of Burnet County, Texas upon compliance with the requirements of Subdivision Code Sec. 98-24(h) and related regulations.

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

PASSED AND APPROVED on this the 12th day of August 2025.

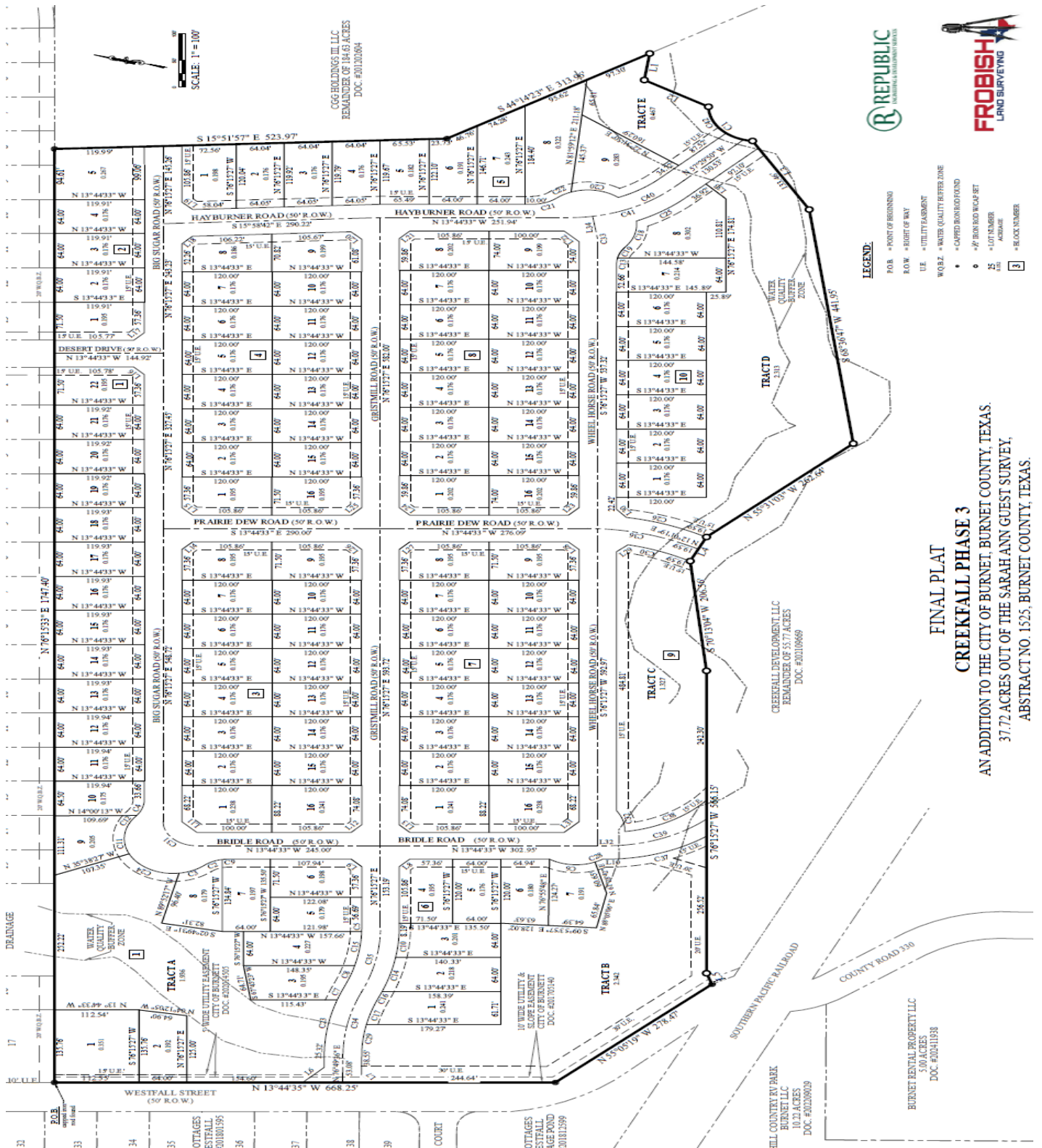
CITY OF BURNET, TEXAS

Gary Wideman, Mayor

ATTEST:

Maria Gonzales, City Secretary

Exhibit "A" - Final Plat



FINAL PLAT
CREEKFALL PHASE 3

AN ADDITION TO THE CITY OF BURNET, BURNET COUNTY, TEXAS.
37.72 ACRES OUT OF THE SARAH ANN GUEST SURVEY,
ABSTRACT NO. 1525, BURNET COUNTY, TEXAS.