



PLANNING AND ZONING COMMISSION MINUTES

On this the 5th of August 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 Vice-Chairman Calib Williams.

2. ROLL CALL:

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

Members absent: None

Guests: Guy Slimp, Linda Freitag, Mary Jane Shanes, Bill Foulds, David McGuire, Cynthia Lopez, Debby Collins, Luis Grunillo, Alan Snider, Carol Will, John Will and Courtney Adair

Others present: David Vaughn, City Manager, Keith McBurnett, Assistant to the City Manager, Leslie Kimbler, Planning Manager, and 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 June 3, 2024. There being no objections, Vice - Chairman Williams 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 BURNET, TEXAS, AMENDING ORDINANCE NO. 2012-09 AND THE OFFICIAL FUTURE LAND USE MAP OF THE CITY BY ASSIGNING THE PROPERTY KNOWN AS 400 N WEST STREET FROM ITS PRESENT DESIGNATION OF RESIDENTIAL TO A DESIGNATION OF GOVERNMENT; 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 amend the Future Land Use Map of the City of Burnet. Before rezoning to Governmental, the FLUM must be amended to allow for Government usage. Vice-Chairman Williams opened the public hearing at 6:02 p.m. There being no comments, Vice-Chairman Williams closed the public hearing at 6:02 p.m. Commissioner Teague made a motion to recommend approval of the proposed request to amend the FLUM. The motion was seconded by Commissioner Gates. The motion carried with a vote of 4 to 0.

- b) 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 205 S HILL ST., 307 S HILL ST., 309 S HILL ST., 1006 E LEAGUE ST., 303 LEAGUE CT., 304 LEAGUE CT., 305 LEAGUE CT., 306 LEAGUE CT., 307 LEAGUE CT., 308 LEAGUE CT., 309 LEAGUE CT., 310 LEAGUE CT., FROM THEIR PRESENT DESIGNATION OF MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3” TO A DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1”; PROPERTY KNOWN AS 1001 E POLK ST FROM THE PRESENT DESIGNATION OF MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3” TO A DESIGNATION OF MEDIUM COMMERCIAL – DISTRICT “C-2”; PROPERTY KNOWN AS 703 N MAIN ST FROM THE PRESENT DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” TO A DESIGNATION OF GOVERNMENT – DISTRICT “G”; AND PROPERTY KNOWN AS 400 N WEST ST FROM THE PRESENT DESIGNATIONS OF SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1”, LIGHT COMMERCIAL – DISTRICT “C-1” AND MEDIUM COMMERCIAL – DISTRICT “C-2” TO A DESIGNATION OF GOVERNMENT – DISTRICT “G”; 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.

In a continued effort to clean up the Zoning map, Planning Manager, Leslie Kimbler, presented staff's report regarding the City initiated request to rezone certain properties. Vice-Chairman Williams opened the public hearing at 6:05 p.m. Guest, Bill Foulds spoke to the Commission in favor of the request for 400 N West in hopes that it will be parkland. There being no further comments, Vice-Chairman Williams closed the public hearing at 6:07 p.m. Commissioner Fortin made a motion to recommend approval of the City initiated request. The motion was seconded by Commissioner Teague. The motion carried with a vote of 4 to 0.

- c) 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 303 BLUEBONNET STREET FROM THE PRESENT DESIGNATIONS OF SINGLE-FAMILY – “R-1” AND LIGHT COMMERCIAL – DISTRICT “C-1” TO A DESIGNATION OF NEIGHBORHOOD COMMERCIAL – DISTRICT “NC”; PROPERTY KNOWN AS 3029 EAST STATE HIGHWAY 29 FROM THE PRESENT DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” TO A DESIGNATION OF

GOVERNMENT – DISTRICT “G”; AND PROPERTY KNOWN AS 1958 COUNTY ROAD 340 FROM THE PRESENT DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” TO A DESIGNATION OF GOVERNMENT – DISTRICT “G”; 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.

In a continued effort to clean up the Zoning map, Planning Manager, Leslie Kimbler, presented staff's report regarding the City initiated request to rezone certain properties. Vice-Chairman Williams opened the public hearing at 6:09 p.m. Guest, David McGuire spoke in favor of the request for 303 Bluebonnet Street stating that he agrees with the request if there will not be a major business that increases traffic. There being no further comments, Vice-Chairman Williams closed the public hearing at 6:11 p.m. Commissioner Gates made a motion to recommend approval of the City initiated request. The motion was seconded by Commissioner Teague. The motion carried with a vote of 4 to 0.

- d) AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2012-09 AND THE OFFICIAL FUTURE LAND USE MAP OF THE CITY BY ASSIGNING THE PROPERTY KNOWN AS 104 COUNTY ROAD 108 FROM ITS PRESENT DESIGNATION OF RESIDENTIAL TO A DESIGNATION OF COMMERCIAL; 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 amend the Future Land Use Map of the City of Burnet. Vice-Chairman Williams opened the public hearing at 6:13 p.m. Guest Alan Snider voiced his concern to the Commission about the sharp curve on County Road 108. There being no further comments, Vice-Chairman Williams closed the public hearing at 6:16 p.m. Commissioner Teague made a motion to recommend approval of the proposed request to amend the FLUM. The motion was seconded by Commissioner Gates. The motion carried with a vote of 4 to 0.

- e) 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 REZONING PROPERTY KNOWN AS 104 COUNTY ROAD 108 FROM ITS CURRENT DESIGNATION OF NEIGHBORHOOD COMMERCIAL – DISTRICT “NC” TO A DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1” WITH A CONDITIONAL USE PERMIT TO ALLOW “ASSISTED RETIREMENT LIVING”; 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 amend the Zoning Map of the City of Burnet with a Conditional Use Permit for property known as 104 County Road 108. Vice-Chairman Williams opened the public hearing at 6:20 p.m. There being no comments, Vice-Chairman Williams closed the public hearing at 6:20 p.m. Commissioner Fortin made a motion to recommend approval of the proposed request to amend the Zoning Map with Conditional Use Permit. The motion was seconded by Commissioner Gates. The motion carried with a vote of 4 to 0.

- f) 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 REZONING PROPERTY LOCATED AT THE NORTH CORNER OF COUNTY ROAD 108 AND NORTH WATER STREET FROM ITS CURRENT DESIGNATION OF AGRICULTURE – DISTRICT "A" TO A DESIGNATION OF LIGHT COMMERCIAL – DISTRICT "C-1" WITH A CONDITIONAL USE PERMIT TO ALLOW "GASOLINE SALES AND ALCOHOL SALES" AND A CONDITIONAL USE PERMIT TO ALLOW FOR "PACKAGED LIQUOR STORE FOR OFF PREMISE CONSUMPTION SALES"; 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 amend the Zoning Map of the City of Burnet for property located at the north corner of County Road 108 and North Water Street with two Conditional Use Permits. Vice-Chairman Williams opened the public hearing at 6:26 p.m. Guest Alan Snider spoke to the Commission about his concerns of access to the convenience store as well as the width and condition of the existing right-of-way. Vice-Chairman Williams closed the public hearing at 6:28 p.m. Commissioner Teague made a motion to recommend approval of the proposed request to amend the Zoning Map and both Conditional Use Permits. The motion was seconded by Commissioner Gates. The motion carried with a vote of 4 to 0.

- g) 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 REZONING PROPERTY KNOWN AS 402 AND 404 NORTH WATER STREET FROM ITS CURRENT DESIGNATIONS OF MEDIUM COMMERCIAL – DISTRICT "C-2" AND SINGLE-FAMILY RESIDENTIAL – DISTRICT "R-1" TO A DESIGNATION OF LIGHT COMMERCIAL – DISTRICT "C-1" WITH A CONDITIONAL USE PERMIT TO ALLOW "GASOLINE SALES AND ALCOHOL SALES"; 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 amend the Zoning Map of the City of Burnet for property located 402 and 404 North Water Street with a Conditional Use Permit. Vice-Chairman Williams opened the public hearing at 6:37 p.m. Guest Bill Foulds spoke to the Commission in opposition to the request due to the fact it would increase the already congested traffic on Johnson Street. Guest Debbie Collins spoke to the Commission in opposition to the request because of the low water crossing that floods when it rains at Kerr St., Bluebonnet St., and Northwest street. Guest David McGuire spoke to the Commission in opposition to the request because the noise and lights would be inposing on his property. Guest Mary Jane Shanes spoke to the Commission in opposition to the request, because of the fact a park will be across the street and kids would be crossing the street to go to McDonalds, etc. Guy Slimp, Cefco representative, spoke to the Commission to confirm the site plan is the final site plan and there would be no trucks at this Cefco. Vice-Chairman Williams closed the public hearing at 6:55 p.m. After deliberations, Commissioner Teague made a motion to deny the request to amend the zoning map and the Conditional Use Permit. Motion was seconded by Commissioner Williams. Motion failed due to a split vote with Commissioners Teague and Williams in favor of the motion to deny the request and Commissioners Fortin and Gates in opposition of the motion to deny the request. At this time, the Commission went into recess to allow the City Manager time to discuss the next appropriate steps with the City's attorney at 7:07 p.m. Meeting resumed at 7:15 pm. City Manager, David Vaughn, explained to the Commission that their failure to make a recommendation could be the report to the Council with a vote of the Commission. Commissioner Williams then made a motion to report to City Council that the Commission was a split vote neither recommending approval or denial. The motion was seconded by Commissioner Gates. The motion carried with a vote of 4 to 0.

5. STAFF REPORTS:

6. REQUESTS FOR FUTURE AGENDA ITEMS:

ADJOURN:

There being no further business, Vice-Chairman Williams adjourned the meeting at 7:17 p.m.



Calib Williams, Vice-Chair
City of Burnet Planning and Zoning Commission

Attest:



Herve Derek Fortin, Secretary