



NOTICE OF MEETING OF THE GOVERNING BODY OF THE CITY OF BURNET

Notice is hereby given that a **Regular Council Meeting** will be held by the governing body of the City of Burnet on the **11th day of June, 2019** at **6:00** p.m. in the Council Chambers, Burnet Municipal Airport, 2402 S. Water, Burnet, at which time the following subjects will be discussed, to-wit:

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

CALL TO ORDER:

INVOCATION:

PLEDGE OF ALLEGIANCE:

PLEDGE TO TEXAS FLAG:

1. EXECUTIVE SESSION:

1.1) Executive Session: The City of Burnet City Council shall meet in Executive Session in accordance to the provision of the Open Meetings Act, Texas Government Code, Chapter 551, and Sub-section 551.071(1)(A) Consultation with Attorney; pending or contemplated litigation: D. Vaughn

2. RECONVENE TO REGULAR SESSION FOR POSSIBLE ACTION:

2.1) Discuss and consider action: Findings based on consultation with Attorney on possible litigation: D. Vaughn

3. CONSENT AGENDA ITEMS:

(All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council 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 Council when the Consent Agenda is opened for Council Action.)

3.1) Approval of the May 28, 2019 Regular City Council Meeting minutes

4. PUBLIC HEARING:

4.1) Public Hearing: The City Council of the City of Burnet, Texas will hold a public hearing regarding a request to rezone approximately 0.96 acres legally described as Lots 1 and 2 of the Fox N. 281 Properties subdivision from their present designation of Light Commercial – District “C-1” to a designation of Medium Commercial – District “C-2,” said properties being generally located on the northeast corner of North Water Street (Hwy. 281) and East Kerr Street: W. Meshier

4.2) Public Hearing: The City Council of the City of Burnet, Texas will hold a public hearing regarding a request to rezone approximately 0.2336 acres legally described as Lot 1A of the Short Form Replat of the South One-Half of Lot Number 2, Wallis Addition from its present designation of Single-Family Residential – District “R-1” to a designation of Medium Commercial – District “C-2,” said property being generally located on the east side of North Water Street (Hwy. 281), approximately 550 feet south of the intersection with East Taggard Street: W. Meshier

4.3) Public Hearing: The City Council of the City of Burnet, Texas will hold a public hearing regarding a proposed Preliminary Plat of a Replat of Lots 80-83, 95-99, and 130 of the Oak Vista Subdivision, a proposed residential subdivision consisting of approximately 105.08 acres and 24 residential lots, being generally located north of County Road 100 (Scenic Oaks Drive), south and west of County Road 100 (Oak Vista Drive), and east of Billy Joe Fox Drive: W. Meshier

5. ACTION ITEMS:

5.1) Discuss and consider action: A RESOLUTION OF THE CITY OF BURNET FINDING PUBLIC NECESSITY TO USE COLLECTED IMPACT FEES TO FUND A WATER AND WASTEWATER IMPACT FEE UPDATE STUDY: G. Courtney

5.2) Discuss and consider action: Appointment of three Commissioners to the Housing Authority of the City of Burnet: K. Dix

5.3) Discuss and consider action: FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 TO REZONE APPROXIMATELY 0.96 ACRE, LEGALLY DESCRIBED AS LOTS 1 AND 2 OF THE FOX N. 281 PROPERTIES SUBDIVISION, FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1” TO A DESIGNATION OF MEDIUM COMMERCIAL–DISTRICT “C-2,” SAID PROPERTY BEING GENERALLY LOCATED ON THE NORTHEAST CORNER OF NORTH WATER STREET (HWY. 281) AND EAST KERR STREET; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: (501 N. Water St.) w. Meshier

5.4) Discuss and consider action: FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 TO REZONE APPROXIMATELY 0.2336 ACRE, LEGALLY DESCRIBED AS LOT 1A OF THE SHORT FORM REPLAT OF THE SOUTH ONE-HALF OF LOT NUMBER 2, WALLIS ADDITION, FROM ITS PRESENT DESIGNATION OF SINGLE FAMILY RESIDENTIAL – DISTRICT “R-1” TO A DESIGNATION OF

MEDIUM COMMERCIAL – DISTRICT “C-2,” SAID PROPERTY BEING GENERALLY LOCATED EAST SIDE OF NORTH WATER STREET (HWY. 281), APPROXIMATELY 550 FEET SOUTH OF THE INTERSECTION WITH EAST TAGGARD STREET; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: W. Meshier

5.5) Discuss and consider action: Request for a variance to Code of Ordinances, Chapter 98, Section 98-42 for the proposed Preliminary Plat of a Replat of Lots 80-83, 95-99, and 130 of the Oak Vista Subdivision, for the purpose of exceeding the maximum length of a cul-de-sac: M. Meshier

5.6) Discuss and consider action: The City Council of the City of Burnet, Texas will consider and take action on a proposed Preliminary Plat of a Replat of Lots 80-83, 95-99, and 130 of the Oak Vista Subdivision, a proposed residential subdivision consisting of approximately 105.08 acres and 24 residential lots, being generally located north of County Road 100 (Scenic Oaks Drive), south and west of County Road 100 (Oak Vista Drive), and east of Billy Joe Fox Drive: W. Meshier

5.7) Discuss and consider action: A request for approval of a proposed On-Site Sewage Facility (OSSF) on a proposed 0.91acre lot located on the west side of South Water Street between Delaware Springs Boulevard and Sunday Drive, as required by City of Burnet Code of Ordinances Sec. 98-45(a)(2): W. Meshier

5.8) Discuss and consider action: Request by Langley Homes for incentives or fee waivers related to a potential development on Westfall Street: D. Vaughn

6. REPORTS:

6.1) Addendum to the City Council Agenda: Department and Committee Reports/Briefings: The City Council may or may not receive a briefing dependent upon activity or change in status regarding the matter. The listing is provided to give notice to the public that a briefing to the Council on any or all subjects may occur.

6.1(A.4) Burnet Municipal Airport update report: L. Baugh

7. REQUESTS FROM COUNCIL FOR FUTURE REPORTS:

8. ADJOURN:

Dated this 7th, day, of June, 2019

CITY OF BURNET

CRISTA GOBLE BROMLEY, MAYOR

I, the undersigned authority, do hereby certify that the above NOTICE OF MEETING of the governing body of the above named City, 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 June 7, 2019, at or before 6 o'clock p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

Kelly Dix, City Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:

The City Council Chamber is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services, such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's office (512.756.6093) at least two working days prior to the meeting. Requests for information may be faxed to the City Secretary at 512.756.8560.

RIGHT TO ENTER INTO EXECUTIVE SESSION:

The City Council for the City of Burnet reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).



Administration

ITEM 1.1

David Vaughn
Asst. City Manager
(512)-756-6093 ext. 3208
dvaughn@cityofburnet.com

Agenda Item Brief

Meeting Date: June 11, 2019

Agenda Item: Executive Session: Executive Session: The City of Burnet City Council shall meet in Executive Session in accordance to the provision of the Open Meetings Act, Texas Government Code, Chapter 551, and Sub-section 551.071(1)(A) Consultation with Attorney; pending or contemplated litigation: D. Vaughn

Background:

Information: An Executive Session will be held with the City Council to discuss possible litigation. City Council will determine if action shall be taken on the issue listed.

Fiscal Impact: To be determined

Recommendation: To be determined



Administration

ITEM 2.1

David Vaughn
Asst. City Manager
(512)-756-6093 ext. 3208
dvaughn@cityofburnet.com

Agenda Item Brief

Meeting Date:	June 11, 2019
Agenda Item:	Discuss and consider action: Findings based on consultation with Attorney on possible litigation: D. Vaughn
Background:	
Information:	An Executive Session will be held with the City Council to discuss possible litigation. City Council will determine if action shall be taken on the issue listed.
Fiscal Impact:	To be determined
Recommendation:	To be determined

STATE OF TEXAS {}
COUNTY OF BURNET {}
CITY OF BURNET {}

On this the 28th day of May, 2019, the City Council of the City of Burnet convened in Regular Session, at 6:00 p.m., at the regular meeting place thereof with the following members present, to-wit:

Mayor Pro Tem	Paul Farmer
Council Members	Joyce Laudenschlager, Danny Lester, Tres Clinton, Mary Jane Shanes, Cindia Talamantez
Absent	Crista Goble Bromley
City Manager	David Vaughn
City Secretary	Kelly Dix

Guests: Gene Courtney, Paul Nelson, Alan Burdell, Patricia Langford, Leslie Baugh, Doug Fipps, Craig Lindholm, Bettye Foulds, James Wilson, Brian Fraus, Tanya Clawson, Kim Winkler, Jennifer Wind

CALL TO ORDER: The meeting was called to order by Mayor Pro Tem Farmer, at 6:00 p.m.

INVOCATION: Council Member Mary Jane Shanes

PLEDGE OF ALLEGIANCE: Council Member Tres Clinton

PLEDGE TO TEXAS FLAG: Council Member Tres Clinton

PUBLIC RECOGNITION/SPECIAL REPORTS:

PUBLIC RECOGNITION/SPECIAL REPORTS:

ACDI Quarterly Update Report: Tanya Clawson: Ms. Clawson presented Council with an overview of the quarterly report for Solid Waste and Recycling for January through March 2019. Ms. Clawson informed all present that ACDI was working on some new initiatives for recycling that will roll out in the next month or so. The purpose of the new initiatives is to increase the recycling efforts and minimize contamination.

Chamber of Commerce Report: Chamber of Commerce Director Kim Winkler expressed the Chamber's thanks for the assistance from the City Staff during the Annual Bluebonnet Festival. Ms. Winkler informed all present that the Chamber is in the process of updating flyers and brochures, working with the Texas Workforce Commission on the August job fair and assisting with preparations for the YMCA Casino Event coming up in June.

CONSENT AGENDA ITEMS:

(All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council 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 Council when the Consent Agenda is opened for Council Action.)

Approval of the May 14, 2019 City Council and Burnet Economic Development Board Joint Workshop Meeting minutes

Approval of the May 14, 2019 Regular City Council Meeting minutes: Council Member Joyce Laudenschlager moved to approve the consent agenda as presented. Council Member Cindia Talamantez seconded, the motion carried unanimously.

PUBLIC HEARINGS:

The City Council of the City of Burnet, Texas will hold a Public Hearing regarding a proposed amendment to the City of Burnet Code of Ordinances, Chapter 118 – Zoning, Section 118-48 – Light Industrial – District “I-1”, Subsection (a); and Chapter 118 – Zoning, Section 118-49 – Heavy Industrial – District “I-2”, Subsection (a), as these sections pertain to permitted uses is the “I-1” –

Light Industrial, and “I-2” – Heavy Industrial zoning districts: W. Meshier: Mayor Pro Tem Farmer opened the Public Hearing. There being no one wishing to speak, Mayor Pro Tem Farmer closed the Public Hearing.

The City Council of the City of Burnet, Texas will hold a Public Hearing regarding a proposed amendment to the City of Burnet Code of Ordinances, Chapter 62 – Manufactured Homes and Trailers, Section 62-2 – Recreational Vehicles; and Chapter 118 – Zoning, Section 118-20 – General Requirements and Limitations, as these sections pertain to parking of recreational vehicles: W. Meshier: Mayor Pro Tem Farmer opened the Public Hearing. There being no one wishing to speak, Mayor Pro Tem Farmer closed the Public Hearing.

ACTION ITEMS:

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE AMENDING ORDINANCE NO.2012-06 TO REZONE APPROXIMATELY 0.442 ACRE, LEGALLY DESCRIBED AS LOT 1 OUT OF THE SHORT FORM REPLAT OF 0.95 ACRES, JOHN HAMILTON SURVEY NO.1, ABSTRACT NO. 405, FROM ITS PRESENT DESIGNATION OF SINGLE-FAMILY RESIDENTIAL–DISTRICT “R-1” TO A DESIGNATION OF MEDIUM COMMERCIAL – DISTRICT “C-2,” SAID PROPERTY BEING GENERALLY LOCATED ON THE EAST SIDE OF NORTH WATER STREET (HWY. 281), APPROXIMATELY 700 FEET SOUTH OF THE INTERSECTION WITH EAST TAGGARD STREET; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: W. Meshier: Council Member Mary Jane Shanes moved to approve and adopt Ordinance 2019-13 as presented. Council Member Tres Clinton seconded, the motion carried unanimously.

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE AMENDING THE CITY OF BURNET CODE OF ORDINANCES, CHAPTER 118 – ZONING, SECTION 118-48 – LIGHT INDUSTRIAL – DISTRICT “I-1”, SUBSECTION (A); AND CHAPTER 118 – ZONING, SECTION 118-49 – HEAVY INDUSTRIAL – DISTRICT “I-2”, SUBSECTION (A); PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; FINDING PROPER NOTICE OF MEETING; AND PROVIDING AN EFFECTIVE DATE: W. Meshier: Council Member Mary Jane Shanes moved to approve and adopt Ordinance 2019-15 as presented. Council Member Joyce Laudenschlager seconded, the motion carried unanimously.

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE AMENDING THE CITY OF BURNET CODE OF ORDINANCES, CHAPTER 62 – MANUFACTURED HOMES AND TRAILERS, SECTION 62-2 – RECREATIONAL VEHICLES; CHAPTER 106 – TRAFFIC AND VEHICLES, SECTION 106-3 – STREETS RESTRICTED TO CERTAIN TRAFFIC; AND CHAPTER 118 – ZONING, SECTION 118-20 – GENERAL REQUIREMENTS AND LIMITATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; FINDING PROPER NOTICE OF MEETING; AND PROVIDING AN EFFECTIVE DATE: W. Meshier:

Council Member Mary Jane Shanes moved to approve and adopt Ordinance 2019-16 as presented. Council Member Joyce Laudenschlager seconded, Mayor Pro Tem Farmer called for a roll vote. Council Members Laudenschlager, Shanes, and Farmer voted in favor, Council Members Lester, Clinton and Talamantez voted against. Mayor Bromley was absent. The motion failed. Council Member Tres Clinton moved to approve and adopt Ordinance 2019-15 with an amendment to allow up to 72 hours for RV parking in the homeowners driveway in the front of the home, and to allow the City Manager to intercede on enforcement if there is an emergency type situation that would necessitate the RV to be parked in the homeowners driveway in front of the home for longer than the

72 hour period. Council Member Joyce Laudenschlager seconded. Mayor Pro Tem Farmer requested a roll vote. Council Members Laudenschlager, Shanes, Clinton and Farmer voted in favor, Council Members Lester and Talamantez voted against. Mayor Bromley was absent. The motion carried with four in favor, two opposed and one absent.

Discuss and consider action: A RESOLUTION BY THE COUNCIL OF THE CITY OF BURNET, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT MADE PURSUANT TO TEXAS LOCAL GOVERNMENT CODE CHAPTER 380 WITH BURNET ECONOMIC DEVELOPMENT CORPORATION, REGARDING THE GRANT OF CERTAIN INCENTIVES RELATING TO THE REDEVELOPMENT OF THE EASTSIDE COMMERCIAL PARK; AND PROVIDING AN EFFECTIVE DATE: D. Vaughn: Council Member Danny Lester moved to approve and adopt Resolution R2019-09 as presented. Council Member Joyce Laudenschlager seconded, the motion carried unanimously.

Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPOINTING AN ASSISTANT CITY SECRETARY WITH THE POWERS AND DUTIES TO ASSIST WITH SAID OFFICE AND TO SERVE IN THE ABSENCE OF THE CITY SECRETARY: K. Dix: Council Member Danny Lester moved to approve and adopt Resolution R2019-10 as presented. Council Member Tres Clinton seconded, the motion carried unanimously.

Discuss and consider action Discuss and consider action: Airport Advisory Board appointment(s): L. Baugh: Council Member Mary Jane Shanes made a motion to appoint David Hargett to the Burnet Airport Advisory Board for a term of two years ending in May 2021. Council Member Joyce Laudenschlager seconded the motion carried unanimously.

Discuss and consider action: Acceptance of a Right-of Way by Easement granted by the First Baptist Church of Burnet: G. Courtney: Council Member Joyce Laudenschlager moved to approve the acceptance of the Right-of-Way easement granted by the First Baptist Church of Burnet as presented. Council Member Mary Jane Shanes seconded, the motion carried unanimously.

Discuss and consider action: Interlocal Agreement between the City of Burnet and the Burnet Consolidated Independent School District for four (4) School Resource Officers: P. Nelson: Council Member Mary Jane Shanes moved to approve the Interlocal Agreement with Burnet Consolidated Independent School District for four School Resource Officers as presented. Council Member Tres Clinton seconded, the motion carried unanimously.

Discuss and consider action: Authorization to reimburse the Burnet Economic Development Corporation (BEDC) and the Burnet Foundation Industrial Company for unused contributions received for the John Hoover Parkway Project: P. Langford: Council Member Joyce Laudenschlager moved to approve and authorize the reimbursements to the Burnet Economic Development Board and the Burnet Foundation Industrial Company as presented. Council Member Mary Jane Shanes seconded, the motion carried unanimously.

REPORTS:

Addendum to the City Council Agenda: Department and Committee Reports/Briefings: The City Council may or may not receive a briefing dependent upon activity or change in status regarding the matter. The listing is provided to give notice to the public that a briefing to the Council on any or all subjects may occur.

April 2019 Financial Report: P. Langford: Director of Finance Patricia Langford reviewed the April 2019 Financial Report to include revenues, expenses, and fund balances for each department fund. Ms. Langford reported that all departments are tracking with budget projections.

REQUESTS FROM COUNCIL FOR FUTURE REPORTS: Council Member Danny Lester requested an update on the Airplane painting project. Airport Manager Leslie Baugh informed all

present that the weather had delayed the painting, but with the recent good weather they have completed the primer on the planes and the artist is scheduled to come do the intricate art work the week of June 10th.

ADJOURN: There being no further business a motion to adjourn was made by Council Member Mary Jane Shanes at 6:53 p.m., seconded by Council Member Joyce Laudenschlager. The motion carried unanimously.

ATTEST:

Crista Goble Bromley, Mayor

Kelly Dix, City Secretary



Development Services

ITEM 4.1

Wallis Meshier
Director of Development Services
(512) 715-3215
wmeshier@cityofburnet.com

Agenda Item Brief

Meeting Date: June 11, 2019

Agenda Item: The City Council of the City of Burnet, Texas will hold a public hearing regarding a request to rezone approximately 0.96 acres legally described as Lots 1 and 2 of the Fox N. 281 Properties subdivision from their present designation of Light Commercial – District “C-1” to a designation of Medium Commercial – District “C-2,” said properties being generally located on the northeast corner of North Water Street (Hwy. 281) and East Kerr Street: W. Meshier

Background: This item is for consideration of a request to rezone 0.96 acres located on the northeast corner of North Water Street (Hwy. 281) and East Kerr Street (see Exhibit A). The tract is currently zoned “C-1” (Light Commercial) (see Exhibit B). The property owner has submitted a request to have the parcel rezoned from “C-1” (Light Commercial) to a designation of “C-2” (Medium Commercial) for the purpose of converting the existing apartment buildings on the site into an “Apartment Hotel,” as defined in Chapter 118 of the Code of Ordinances (see Exhibit C).

Information: District “C-2” (Medium Commercial) is governed by Sec. 118-46 of the Code of Ordinances and allows commercial land uses in facilities under 20,000 square feet, including child care centers, boarding houses, clinics, convenience stores, grocery stores, hotels, motels, mini storage, restaurants, and other similar uses. This district also allows “apartment hotels,” which are defined in Sec. 118-5 as buildings “used or intended to be used as a home for twelve (12) or more families, who are permanent residents, living independently of each other, in which building may be located on the first floor living units for transient guests, and/or retail sales and service.”

Staff Analysis: The Future Land Use Map identifies the subject parcel as being intended for commercial use (see Exhibit D). The Future Land Use Map assumptions in this area are generally correct, and should be supported.

An analysis of the property adjacent to the subject parcel is as follows:

	North	South	East	West
Zoning	C-1	C-1	C-1 7 R-1	R-1
FLUM	Commercial	Commercial	Commercial	Commercial
Land Use	Vacant	Office	Single-Family	Vacant Single-Family

Staff finds that the requested “C-2” (Medium Commercial) zoning is consistent with the adopted Future Land Use Map. In addition, staff finds that the requested “C-2” (Medium Commercial) zoning is appropriate for the subject property, given that it has direct frontage on North Water Street (Hwy. 281).

Public Notification: A Notice of Public Hearing was published in the Burnet Bulletin on May 22, 2019 and written notices were mailed to eight (8) surrounding property owners regarding this request. As of the date of this report, no letters in support or opposition have been received.

Exhibit "A"
Location Map



Exhibit "B"
Current Zoning

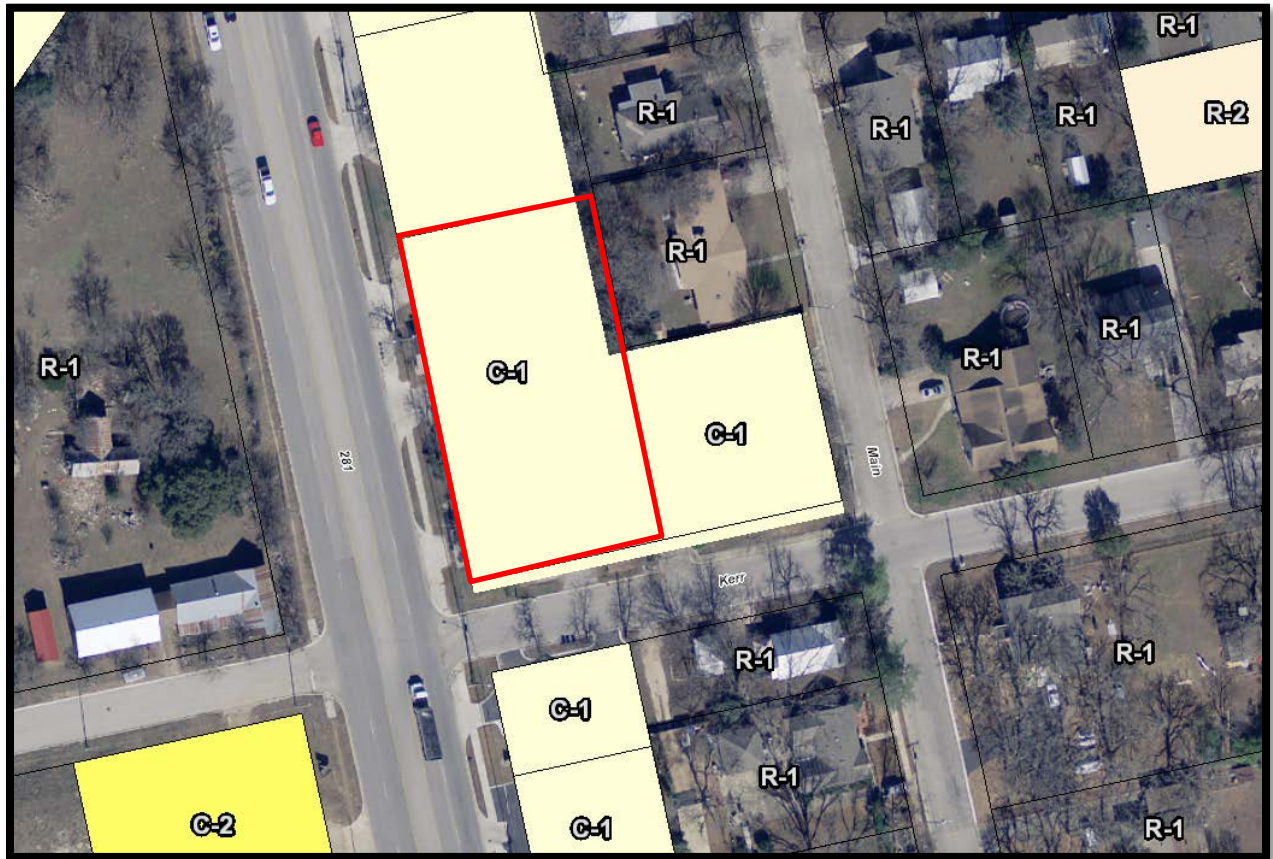


Exhibit "C"
Requested Zoning

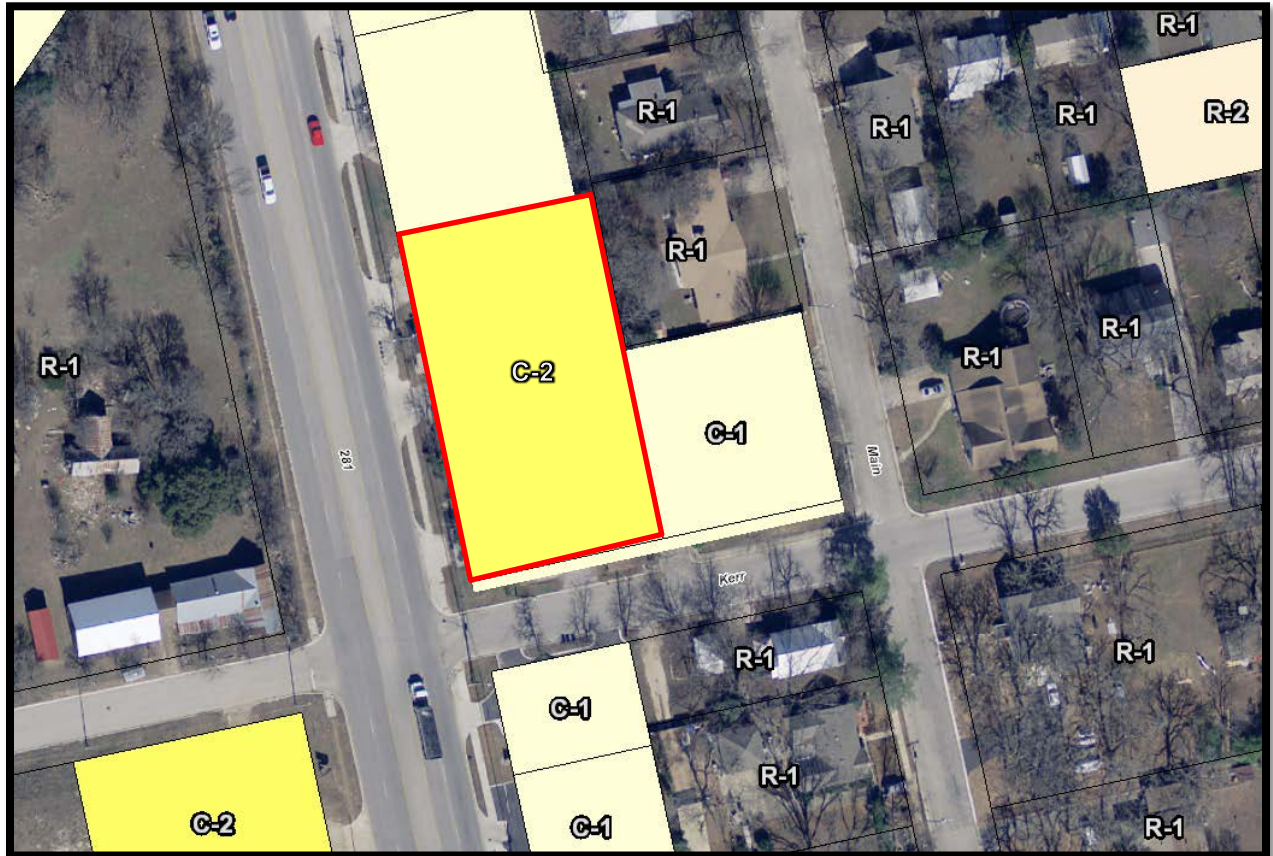


Exhibit "D"
Future Land Use Map (FLUM)



Commercial



Residential



Planning & Zoning Commission

ITEM 4.2

Wallis Meshier
Director of Development Services
(512) 715-3215
wmeshier@cityofburnet.com

Agenda Item Brief

Meeting Date: June 11, 2019

Agenda Item: The City Council of the City of Burnet, Texas will hold a public hearing regarding a request to rezone approximately 0.2336 acres legally described as Lot 1A of the Short Form Replat of the South One-Half of Lot Number 2, Wallis Addition from its present designation of Single-Family Residential – District “R-1” to a designation of Medium Commercial – District “C-2,” said property being generally located on the east side of North Water Street (Hwy. 281), approximately 550 feet south of the intersection with East Taggard Street: W. Meshier

Background: This item is for consideration of a request to rezone 0.2336 acres located on the east side North Water Street (Hwy. 281), north of East Kerr Street and south of East Taggard Street (see Exhibit A). The property owner has submitted a request to have the property rezoned from “R-1” (Single-Family Residential) to a designation of “C-2” (Medium Commercial) for the purpose of selling it to a buyer who plans to own and operate a car wash on the property (see Exhibit C).

Information: District “C-2” (Medium Commercial) is governed by Sec. 118-46 of the Code of Ordinances and allows commercial land uses in facilities under 20,000 square feet, including gas stations, convenience stores, grocery stores, hotels, commercial garages, mini-storage, restaurants, shopping centers, warehouses, and other similar uses.

Staff Analysis: The Future Land Use Map identifies the subject parcel as being intended for commercial use (See Exhibit D). The Future Land Use Map assumptions in this area are generally correct, and should be supported.

An analysis of the property adjacent to the subject parcel is as follows:

	North	South	East	West
Zoning	C-1	C-2	R-1	C-1 & R-1
FLUM	Commercial	Commercial	Commercial	Commercial
Land Use	Church	Vacant	Mid-Density Res.	Mid-Density Res.

Staff finds that the requested "C-2" (Medium Commercial) zoning is consistent with the adopted Future Land Use Map. In addition, staff finds that the requested zoning is appropriate for the subject property, given that it has direct frontage on North Water Street (State Hwy. 281).

Public Notification: A Notice of Public Hearing was published in the Burnet Bulletin on May 22, 2019 and written notices were mailed to sixteen (16) surrounding property owners regarding this request. As of the date of this report, no letters in support or opposition have been received.

Exhibit "A"
Location Map



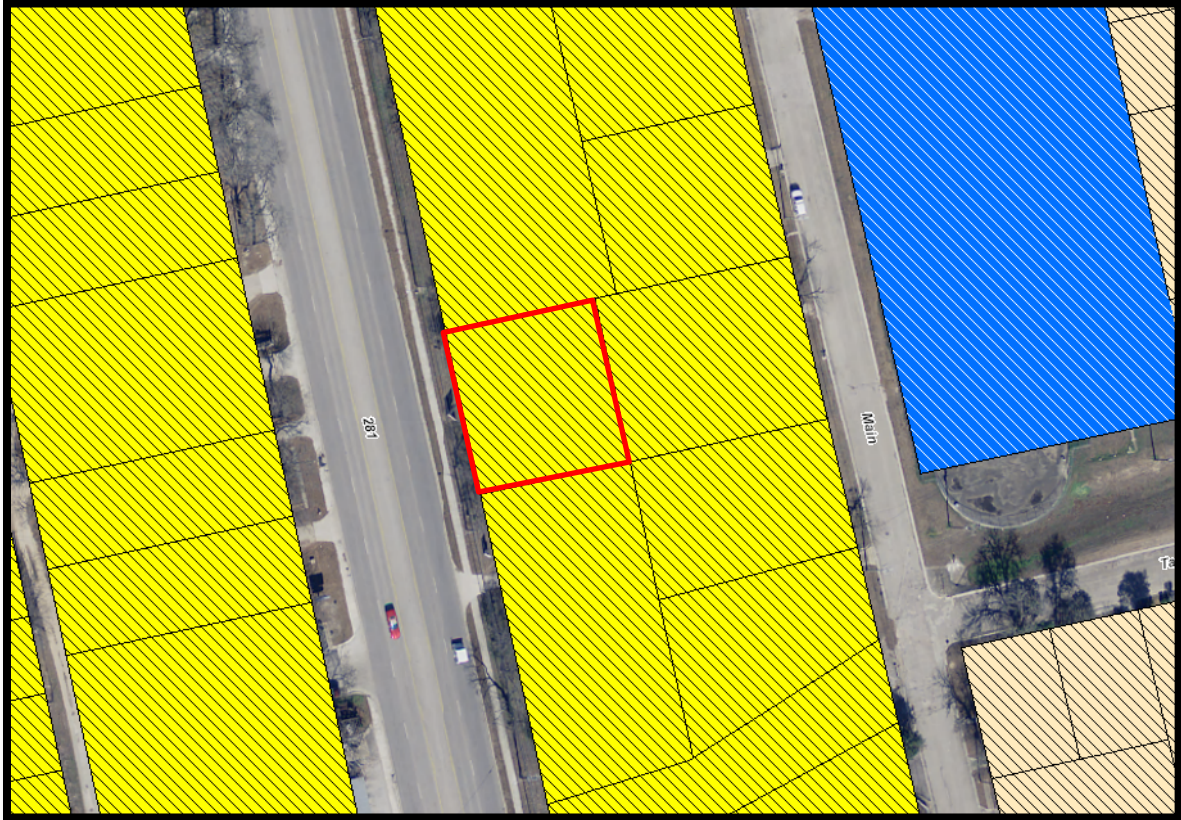
Exhibit "B"
Current Zoning



Exhibit "C"
Requested Zoning



Exhibit "D"
Future Land Use Map (FLUM)



Commercial



Residential



Government



Development Services

ITEM 4.3

Wallis Meshier, CNU-A
Director of Development
Services
(512)-715-3215
wmeshier@cityofburnet.com

Agenda Item Brief

Meeting Date: June 11, 2019

Agenda Item: The City Council of the City of Burnet, Texas will hold a public hearing regarding a proposed Preliminary Plat of a Replat of Lots 80-83, 95-99, and 130 of the Oak Vista Subdivision, a proposed residential subdivision consisting of approximately 105.08 acres and 24 residential lots, being generally located north of County Road 100 (Scenic Oaks Drive), south and west of County Road 100 (Oak Vista Drive), and east of Billy Joe Fox Drive: W. Meshier

Background: The proposed Preliminary Plat is a residential subdivision consisting of approximately 105.08 acres located north of County Road 100 (Scenic Oaks Drive), south and west of County Road 100 (Oak Vista Drive), and east of Billy Joe Fox Drive (see Exhibit A). The proposed subdivision will include twenty-four (24) residential lots ranging in size from 2.97 to 6.01 acres in size.

The subdivision will gain access from County Road 100 (Scenic Oaks Drive) via a proposed new street called Wandering Oak Circle. This proposed street is 2,686 feet in length, has a right-of-way width of 50 feet, and terminates in a 120-foot wide cul-de-sac. In addition to the cul-de-sac at the end of the street, there are also two proposed fire apparatus turnarounds, which are spaced at intervals of roughly 900 feet. The proposed Wandering Oak Circle will be built to City standards, but maintenance of the proposed street will be the responsibility of the developer or Property Owner's Association.

All lots within the proposed subdivision will be served by private wells and septic systems. The property is subject to the L.C.R.A Highland Lakes Watershed Ordinance. There are seven (7) lots within the proposed subdivision that lie partially within the 100-year floodplain.

Information: The proposed Preliminary Plat has been reviewed for conformance with Chapter 98 of the City of Burnet Code of Ordinances and has been found to comply with all requirements relating to form and content, with the following exceptions:

1. Per City of Burnet Code of Ordinances Sec. 98-42, the maximum length for a cul-de-sac is 600 feet. Wandering Oak Circle is a proposed dead-end cul-de-sac with an approximate length of

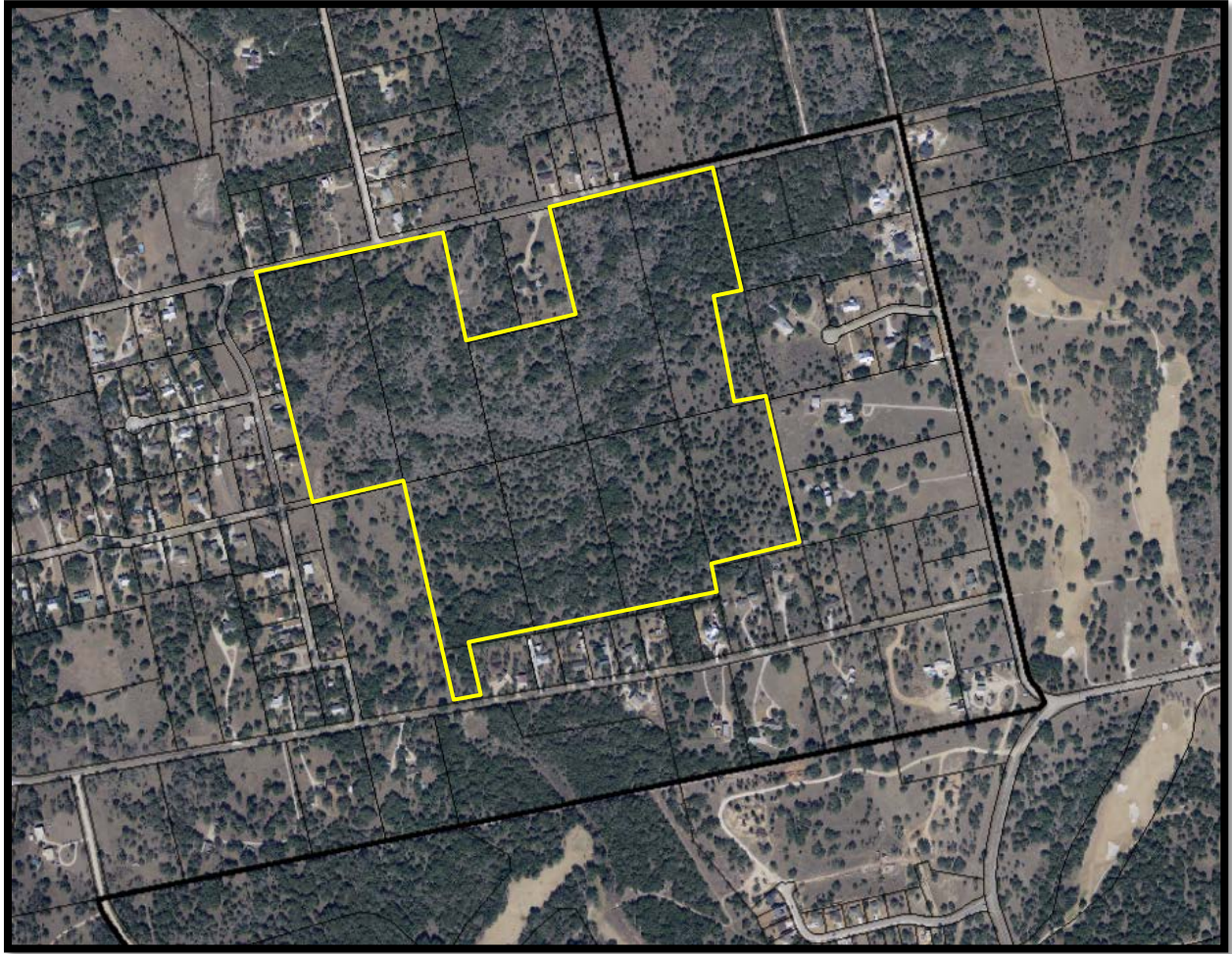
2,686 feet. Therefore, approval of a subdivision variance will be required as a condition of approval of the proposed Preliminary Plat.

2. City of Burnet Code of Ordinances Sec. 98-22(d)(2)(e) requires that the Base Flood Elevation (BFE) for each lot within the 100-year floodplain to be noted on the plat. The proposed Preliminary Plat was submitted without this information. However, the applicant's engineer is currently working to provide this information, and it will be included on the Preliminary Plat prior to being signed.

A tree survey was submitted in accordance with Sec. 98-22, which shows no protected trees located within the proposed right-of-way. Conformance with the City's tree preservation, mitigation, and removal standards will be ensured during the construction plan review phase.

Public Notification: A notice of public hearing, as required by Code of Ordinance Sec. 98-22(f), was published in the Burnet Bulletin on May 22, 2019, and written notices were mailed to the owners of all forty-two (42) properties located within 300 feet of the subject property. As of the date of this report, no written responses have been received in support or opposition.

EXHIBIT "A"
Location





Public Works Department

ITEM 5.1

Gene Courtney
Public Works Director
(512)-715-3521
gcourtney@cityofburnet.com

Agenda Item Brief

Meeting Date:	June 11, 2019
Agenda Item:	Discuss and consider action: A RESOLUTION OF THE CITY OF BURNET FINDING PUBLIC NECESSITY TO USE COLLECTED IMPACT FEES TO FUND A WATER AND WASTEWATER IMPACT FEE UPDATE STUDY: G. Courtney
Background:	In 2004 city council adopted a Capital Improvement Plan (CIP) describing the existing capital improvements within the service area and the cost to upgrade, update, improve, expand, or replace the improvements to meet existing needs and usage and stricter safety, efficiency, environmental, or regulatory standards as prepared by a qualified professional engineer.
Information:	To ensure the proper Capital improvements are met the city developed a Water/Wastewater Impact Fee rate schedule for the new customers wanting to connect to the city infrastructure. State Law requires the city to review the Impact Fees and the Capital Improvement Plan every five years to ensure the CIP and Fees meet the needs of city owned infrastructure for current and future projects. City staff would like to use current impact fee funds to hire NewGen Strategies & Solution to complete this review and submit their report to council.
Fiscal Impact:	Not to exceed \$10,000 of Impact Fee Funds
Recommendation:	Staff recommends approval of Resolution 2019-11 as presented.

RESOLUTION NO. R2019-11

**A RESOLUTION OF THE CITY OF BURNET FINDING PUBLIC
NECESSITY TO USE COLLECTED IMPACT FEES TO FUND A
WATER AND WASTEWATER IMPACT FEE UPDATE STUDY**

WHEREAS, the City Council has adopted a Capital Improvement Plan ("CIP") describing the existing capital improvements within the service area and the costs to upgrade, update, improve, expand, or replace the improvements to meet existing needs and usage and stricter safety, efficiency, environmental, or regulatory standards as prepared by a qualified professional engineer.

WHEREAS, the City Council has determined the CIP serves as a guide to provide infrastructure services to the future population; and

WHEREAS, the City Council has collected impact fees in accordance with State law; and

WHEREAS, the City is required by state law to update the impact fee study every five years; and

WHEREAS, the City Council has determined it necessary to expend such funds on updating the impact fee study; and

WHEREAS, this Resolution is necessary for the imposition of expenditure of impact fees to prevent undue burden on its citizens and to adequately address infrastructure growth as a result of new development.

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

Section one. The City Council of the City of Burnet hereby authorizes the City Manager to enter into a contract to update the Water and Wastewater Impact Fee Update Study as further shown on Exhibit "A" and further authorized the use of impact fees previously collected to fund the update study, in an amount not to exceed Ten Thousand Dollars (\$10,000) without further Council approval. Such funds shall be expensed equally out of the water and wastewater impact fee accounts of the City.

PASSED AND ADOPTED this 11th day of June, 2019.

Crista Goble Bromley, Mayor
City of Burnet

ATTEST:

Kelly Dix, City Secretary

May 29, 2019

Mr. David Vaughn
City Manager
City of Burnet
P.O. Box 1369
Burnet, Texas 78611

Subject: 2019 Water and Wastewater Impact Fee Update

Dear Mr. Vaughn:

Based on our prior discussions, NewGen Strategies and Solutions, LLC (NewGen) is pleased to have this opportunity to assist the City of Burnet (City) in performing an update to the City's current Water and Wastewater Impact Fees. In particular, it is our understanding that the City desires NewGen to provide the following scope of services:

- Perform an update to the City's Water and Wastewater Impact Fees in compliance with the requirements of Chapter 395 of the Texas Local Government Code (LGC). At this time, the Project Team understands that there have not been any changes to the City's Land Use Assumptions or Impact Fee Capital Improvement Plan since the prior study, so it is anticipated that the update will be conducted under the requirements of Chapter 395.0575;
- Prepare a timeline and schedule of key events for the City in accordance with LGC 395.0575;
- Prepare and facilitate the submission and publication of notices as required under LGC 395.0575;
- Prepare and provide to City Attorney for review appropriate ordinances under LGC 395.0575; and,
- Participate in one (1) meeting with either the Capital Improvements Advisory Commission or City Council to discuss the requirements of the Local Government Code and discuss the City's current competitive position as it relates to water and wastewater impact fees.

For this engagement, Mr. Chris Ekrut will serve as the Project Manager and be responsible for the overall successful completion of the project. Mr. Ekrut will be assisted by Mr. Matthew Garrett. Dependent upon scheduling and availability, either Mr. Ekrut or Mr. Garrett will participate in the presentations included within the scope, unless otherwise requested by the City.

Based on the above outlined scope of services, NewGen will provide these services for a total not-to-exceed price of \$8,500.00. NewGen will invoice the City monthly for actual hours worked at our standard hourly billing rates, plus out of pocket expenses incurred at cost. NewGen's hourly billing rates, effective through December 31, 2019, are as follows:

**NewGen Strategies & Solutions
2019 Billing Rates**

Position	Billing Rate
GM	\$315
President	\$270 - \$315
Director/Executive Consultant/Vice President	\$195 - \$315
Senior Consultant	\$175 - \$195
Staff Consultant	\$130 - \$175
Analyst	\$100 - \$175
Administrative Assistant	\$90

Note: Billing rates are subject to change based on annual reviews and salary increases.

Please note that the not-to-exceed pricing outlined above includes one on-site meeting. Additional meetings will be provided on a time and expense basis.

The City may cancel this agreement at any time by providing written notification to NewGen, within thirty (30) days of the desired cancellation. All charges outstanding will be due at the time of cancellation.

By executing this letter, you agree that the services rendered by NewGen will be performed in accordance with instructions or specifications received by the City and will be provided with the degree of skill and judgment exercised by recognized professionals performing services of similar nature and consistent with the applicable industry best practices.

All payments made under this engagement should be remitted to:

NewGen Strategies and Solutions, LLC
275 W Campbell Road, Suite 440
Richardson, Texas 75080

If this letter is in agreement with your understanding of the scope of services to be provided, and our proposal terms and conditions are acceptable, please execute one copy and return to our Richardson, Texas office. Again, we appreciate the opportunity to once again assist the City. Should you, City staff, or the City Council have any questions regarding this proposal, please do not hesitate to contact me at 972.232.2234 or at cekrut@newgenstrategies.net.

Sincerely,

NewGen Strategies and Solutions, LLC



Chris Ekrut
Director

Mr. David Vaughn

May 29, 2019

Page 3

Accepted By: _____

Title: _____

Date: _____



City Secretary

ITEM 5.2

Kelly Dix
City Secretary
(512)-756-6093 ext. 3209
kdix@cityofburnet.com

Agenda Item Brief

Meeting Date:	June 11, 2019
Agenda Item:	Discuss and consider action: Appointment of three Commissioners to the Housing Authority of the City of Burnet: K. Dix
Background:	Roy Hallmark, James Herbort, and Jack Butler currently serve as Commissioners on the Housing Authority for the City of Burnet and are both seeking re-appointment. Their two-year terms expire the end of June 2019.
Information:	Billie Shelburn, Executive Director of the Burnet Housing Authority of the City of Burnet submitted a request to re-appoint Roy Hallmark, James Herbort, and Jack Butler as Commissioners on the Housing Authority Board for the City of Burnet for a term of two years, expiring in June of 2021.
Fiscal Impact:	None.
Recommendation:	Re-appoint Roy Hallmark, James Herbort, and Jack Butler to the Housing Authority Board of Commissioners for the City of Burnet to serve a two-year term, expiring in June 2021.

**Certificate of Appointment of
Commissioners of the Housing Authority
Of the City of Burnet, Texas**

Pursuant to the provisions of section 5 of the "Housing Authorities Law" of the State of Texas and by virtue of my office as Mayor:

I hereby appoint, the following named person to serve as Commissioner of the Housing Authority of the City of Burnet, Texas and to serve for the following two-year term:

**Roy Hallmark
2019-2021**

I hereby certify that the above designated Commissioner is not an Officer or Employee of the City of Burnet, Texas, but said Commissioner is a resident thereof.

In witness whereof, I have hereunto signed my name as Mayor of the City of Burnet, Texas, and caused the official Corporate Seal of the City of Burnet, Texas to be attached hereto this 11th day of June, 2019.

Crista Goble Bromley, Mayor
City of Burnet, Texas

ATTEST:

Kelly Dix, City Secretary
City of Burnet, Texas

CERTIFIED DOCUMENT

STATE OF TEXAS {}
COUNTY OF BURNET {}
CITY OF BURNET {}

I hereby certify that on the 11th day of June 2019 a certificate of appointment of Commissioner **Roy Hallmark** of the Housing Authority of the city of Burnet, Texas, was duly filed with the City Secretary of the City of Burnet, Texas, and the certificate being dated the 11th day of June 2019, and signed by the Mayor of the said City, and attached hereto is a true, correct and compared copy of the original certificate of appointment and designation which is now on file in the office of the City Secretary of the City of Burnet Texas.

In witness hereof, I have hereunto set my hand and the seal of the City of Burnet, Texas this 11th, day of June, 2019.

Kelly Dix, City Secretary

**Certificate of Appointment of
Commissioners of the Housing Authority
Of the City of Burnet, Texas**

Pursuant to the provisions of section 5 of the "Housing Authorities Law" of the State of Texas and by virtue of my office as Mayor:

I hereby appoint, the following named person to serve as Commissioner of the Housing Authority of the City of Burnet, Texas and to serve for the following two-year term:

**James Herbort
2019-2021**

I hereby certify that the above designated Commissioner is not an Officer or Employee of the City of Burnet, Texas, but said Commissioner is a resident thereof.

In witness whereof, I have hereunto signed my name as Mayor of the City of Burnet, Texas, and caused the official Corporate Seal of the City of Burnet, Texas to be attached hereto this 11th day of June, 2019.

Crista Goble Bromley, Mayor
City of Burnet, Texas

ATTEST:

Kelly Dix, City Secretary
City of Burnet, Texas

CERTIFIED DOCUMENT

STATE OF TEXAS {}
COUNTY OF BURNET {}
CITY OF BURNET {}

I hereby certify that on the 11th day of June 2019 a certificate of appointment of Commissioner **James Herbort** of the Housing Authority of the city of Burnet, Texas, was duly filed with the City Secretary of the City of Burnet, Texas, and the certificate being dated the 11th day of June 2019, and signed by the Mayor of the said City , and attached hereto is a true, correct and compared copy of the original certificate of appointment and designation which is now on file in the office of the City Secretary of the City of Burnet Texas.

In witness hereof, I have hereunto set my hand and the seal of the City of Burnet, Texas this 11th day of June, 2019.

Kelly Dix, City Secretary

**Certificate of Appointment of
Commissioners of the Housing Authority
Of the City of Burnet, Texas**

Pursuant to the provisions of section 5 of the "Housing Authorities Law" of the State of Texas and by virtue of my office as Mayor:

I hereby appoint, the following named person to serve as Commissioner of the Housing Authority of the City of Burnet, Texas and to serve for the following two-year term:

**Jack Butler
2019-2021**

I hereby certify that the above designated Commissioner is not an Officer or Employee of the City of Burnet, Texas, but said Commissioner is a resident thereof.

In witness whereof, I have hereunto signed my name as Mayor of the City of Burnet, Texas, and caused the official Corporate Seal of the City of Burnet, Texas to be attached hereto this 11th day of June, 2019.

Crista Goble Bromley, Mayor
City of Burnet, Texas

ATTEST:

Kelly Dix, City Secretary
City of Burnet, Texas

CERTIFIED DOCUMENT

STATE OF TEXAS {}
COUNTY OF BURNET {}
CITY OF BURNET {}

I hereby certify that on the 11th day of June 2019 a certificate of appointment of Commissioner **Jack Butler** of the Housing Authority of the city of Burnet, Texas, was duly filed with the City Secretary of the City of Burnet, Texas, and the certificate being dated the 11th day of June 2019, and signed by the Mayor of the said City , and attached hereto is a true, correct and compared copy of the original certificate of appointment and designation which is now on file in the office of the City Secretary of the City of Burnet Texas.

In witness hereof, I have hereunto set my hand and the seal of the City of Burnet, Texas this 11th day of June, 2019.

Kelly Dix, City Secretary



Development Services

ITEM 5.3

Wallis Meshier
Director of Development Services
(512) 715-3215
wmeshier@cityofburnet.com

Agenda Item Brief

Meeting Date: June 11, 2019

Agenda Item: FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 TO REZONE APPROXIMATELY 0.96 ACRE, LEGALLY DESCRIBED AS LOTS 1 AND 2 OF THE FOX N. 281 PROPERTIES SUBDIVISION, FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1” TO A DESIGNATION OF MEDIUM COMMERCIAL – DISTRICT “C-2,” SAID PROPERTY BEING GENERALLY LOCATED ON THE NORTHEAST CORNER OF NORTH WATER STREET (HWY. 281) AND EAST KERR STREET; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: (501 N. Water St.) W. Meshier

Background: This item is for consideration of a request to rezone 0.96 acres located on the northeast corner of North Water Street (Hwy. 281) and East Kerr Street. The property owner has submitted a request to have the parcel rezoned from “C-1” (Light Commercial) to a designation of “C-2” (Medium Commercial).

Recommendation: Staff recommends approval of the first reading of Ordinance 2019-17 as presented.

ORDINANCE NO. 2019-17

AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 TO REZONE APPROXIMATELY 0.96 ACRE, LEGALLY DESCRIBED AS LOTS 1 AND 2 OF THE FOX N. 281 PROPERTIES SUBDIVISION, FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1” TO A DESIGNATION OF MEDIUM COMMERCIAL – DISTRICT “C-2,” SAID PROPERTY BEING GENERALLY LOCATED ON THE NORTHEAST CORNER OF NORTH WATER STREET (HWY. 281) AND EAST KERR STREET; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, The Planning and Zoning Commission of the City of Burnet, on June 10, 2019, did conduct a public hearing for the purpose of taking public comment regarding the proposal to rezone approximately 0.96 acres legally described as Lots 1 and 2 of the Fox N. 281 Properties Subdivision from its present designation of Light Commercial – District “C-1” to a designation of Medium Commercial – District “C-2,” said property being addressed as 501 North Water Street and being generally located on the northeast corner of North Water Street (Hwy. 281) and East Kerr Street; and

WHEREAS, The City Council of the City of Burnet, on June 11, 2019 did conduct its own public hearing for the purpose of taking public comment regarding the proposal to rezone approximately 0.96 acres legally described as Lots 1 and 2 of the Fox N. 281 Properties Subdivision from its present designation of Light Commercial – District “C-1” to a designation of Medium Commercial – District “C-2,” said property being addressed as 501 North Water Street and being generally located on the northeast corner of North Water Street (Hwy. 281) and East Kerr Street; and

WHEREAS, The City Council, based on due consideration of the Planning and Zoning Commission recommendation, and its own findings, did determine that assigning Medium Commercial – District “C-2” to approximately 0.96 acres legally described as Lots 1 and 2 of the Fox N. 281 Properties Subdivision from its present designation of Light Commercial – District “C-1” to a designation of Medium Commercial – District “C-2,” said property being addressed as 501 North Water Street and being generally located on the northeast corner of North Water Street (Hwy. 281) and East Kerr Street to be consistent with development patterns in the surrounding area and consistent with the best public interest of the City;

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Zoning Changed. Approximately 0.96 acres legally described as Lots 1 and 2 of the Fox N. 281 Properties Subdivision, said property being addressed as 501 North Water Street and being generally located on the northeast corner of North Water Street (Hwy. 281) and East Kerr Street, is hereby assigned a zoning designation of Medium Commercial – District “C-2”

Section 3. Repealer. Other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.

Section 4. Severability. Should any provisions of this ordinance be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

Section 5. Effective Date. This ordinance is effective upon final passage and approval.

Section 6. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meeting Act, Chapter. 551, Loc. Gov’t. Code.

PASSED AND APPROVED on First Reading this 11th day of June, 2019.

FINALLY PASSED AND APPROVED on this 25th day of June, 2019.

CITY OF BURNET, TEXAS

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary



Development Services

ITEM 5.4

Wallis Meshier
Director of Development Services
(512) 715-3215
wmeshier@cityofburnet.com

Agenda Item Brief

Meeting Date: June 11, 2019

Agenda Item: FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 TO REZONE APPROXIMATELY 0.2336 ACRE, LEGALLY DESCRIBED AS LOT 1A OF THE SHORT FORM REPLAT OF THE SOUTH ONE-HALF OF LOT NUMBER 2, WALLIS ADDITION, FROM ITS PRESENT DESIGNATION OF SINGLE FAMILY RESIDENTIAL – DISTRICT “R-1” TO A DESIGNATION OF MEDIUM COMMERCIAL – DISTRICT “C-2,” SAID PROPERTY BEING GENERALLY LOCATED EAST SIDE OF NORTH WATER STREET (HWY. 281), APPROXIMATELY 550 FEET SOUTH OF THE INTERSECTION WITH EAST TAGGARD STREET; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: W. Meshier

Background: This item is for consideration of a request to rezone 0.2336 acres located on the east side North Water Street (Hwy. 281), north of East Kerr Street and south of East Taggard Street (see Exhibit A). The property owner has submitted a request to have the property rezoned from “R-1” (Single-Family Residential) to a designation of “C-2” (Medium Commercial) for the purpose of selling it to a buyer who plans to own and operate a car wash on the property.

Recommendation: Staff recommends approval of the first reading of Ordinance 2019-18 as presented.

ORDINANCE NO. 2019-18

AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 TO REZONE APPROXIMATELY 0.2336 ACRE, LEGALLY DESCRIBED AS LOT 1A OF THE SHORT FORM REPLAT OF THE SOUTH ONE-HALF OF LOT NUMBER 2, WALLIS ADDITION, FROM ITS PRESENT DESIGNATION OF SINGLE FAMILY RESIDENTIAL – DISTRICT “R-1” TO A DESIGNATION OF MEDIUM COMMERCIAL – DISTRICT “C-2,” SAID PROPERTY BEING GENERALLY LOCATED EAST SIDE OF NORTH WATER STREET (HWY. 281), APPROXIMATELY 550 FEET SOUTH OF THE INTERSECTION WITH EAST TAGGARD STREET; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, The Planning and Zoning Commission of the City of Burnet, on June 10, 2019, did conduct a public hearing for the purpose of taking public comment regarding the proposal to assign Medium Commercial — District “C-2” to approximately 0.2336 acre, legally described as Lot 1A of the Short Form Replat of the South One-Half of Lot Number 2, Wallis Addition, from its present designation of Single-Family Residential – District “R-1” to a designation of Medium Commercial – District “C-2,” said property being generally located east side of North Water Street (Hwy. 281), approximately 550 feet south of the intersection with East Taggard Street; and

WHEREAS, The City Council of the City of Burnet, on June 11, 2019 did conduct its own public hearing for the purpose of taking public comment regarding the proposal to assign Medium Commercial — District “C-2” to approximately 0.2336 acre, legally described as Lot 1A of the Short Form Replat of the South One-Half of Lot Number 2, Wallis Addition, from its present designation of Single-Family Residential – District “R-1” to a designation of Medium Commercial – District “C-2,” said property being generally located on the east side of North Water Street (Hwy. 281), approximately 550 feet south of the intersection with East Taggard Street; and

WHEREAS, The City Council, based on due consideration of the Planning and Zoning Commission recommendation, and its own findings, did determine that assigning Medium Commercial — District “C-2” to approximately 0.2336 acre, legally described as Lot 1A of the Short Form Replat of the South One-Half of Lot Number 2, Wallis Addition, said property being generally located on the east side of North Water Street (Hwy. 281), approximately 550 feet south of the intersection with East Taggard Street, to be consistent with development patterns in the surrounding area and consistent with the best public interest of the City;

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Zoning Changed. Approximately 0.2336 acre, legally described as Lot 1A of the Short Form Replat of the South One-Half of Lot Number 2, Wallis Addition, said property being generally located on the east side of North Water Street (Hwy. 281), approximately 550 feet south of the intersection with East Taggard Street, is hereby assigned a zoning designation of Medium Commercial – District “C-2”.

Section 3. Repealer. Other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.

Section 4. Severability. Should any provisions of this ordinance be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

Section 5. Effective Date. This ordinance is effective upon final passage and approval.

Section 6. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meeting Act, Chapter. 551, Loc. Gov’t. Code.

PASSED AND APPROVED on First Reading this 11th day of June, 2019.

FINALLY PASSED AND APPROVED on this 25th day of June, 2019.

CITY OF BURNET, TEXAS

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary



Development Services

ITEM 5.5

Wallis Meshier, CNU-A
Director of Development
Services
(512)-715-3215
wmeshier@cityofburnet.com

Agenda Item Brief

Meeting Date: June 11, 2019

Agenda Item: Discuss and consider action: Request for a variance to Code of Ordinances, Chapter 98, Section 98-42 for the proposed Preliminary Plat of a Replat of Lots 80-83, 95-99, and 130 of the Oak Vista Subdivision, for the purpose of exceeding the maximum length of a cul-de-sac: M. Meshier

Background: The proposed Preliminary Plat is a residential subdivision consisting of approximately 105.08 acres located north of County Road 100 (Scenic Oaks Drive), south and west of County Road 100 (Oak Vista Drive), and east of Billy Joe Fox Drive. The proposed subdivision will include twenty-four (24) residential lots ranging in size from 2.97 to 6.01 acres in size.

The subdivision will gain access from County Road 100 (Scenic Oaks Drive) via a proposed new street called Wandering Oak Circle. This proposed street is 2,686 feet in length, has a right-of-way width of 50 feet, and terminates in a 120-foot wide cul-de-sac. In addition to the cul-de-sac at the end of the street, there are also two proposed fire apparatus turnarounds, which are spaced at intervals of roughly 900 feet.

Information: Per City of Burnet Code of Ordinances Sec. 98-42, the maximum length for a cul-de-sac is 600 feet. Wandering Oak Circle is a proposed dead-end cul-de-sac with an approximate length of 2,686 feet. Therefore, approval of a subdivision variance will be required as a condition of approval of the proposed Preliminary Plat.

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: Below is staff’s analysis of the request as it relates to the criteria for a variance:

The public convenience and welfare will be substantially served.

The proposed subdivision consists of large rural lots, with the average lot size being 4.23 acres. Although the proposed dead-end street substantially exceeds the maximum block length, it provides access to only 21 residential lots. The remaining three lots within the subdivision will take access from one of the adjacent county roads. Due to the low-density nature of the proposed development, one street is sufficient to provide access to 21 lots. In addition, the developer has proposed to provide two mid-block fire apparatus turnarounds, in addition to the cul-de-sac at the end of the street.

The appropriate use of surrounding property will not be substantially or permanently impaired or diminished.

The requested variance will have no adverse impact on the surrounding properties.

The applicant has not created the hardship from which relief is sought.

The basis for the requested variance stems from the low-density nature of the proposed development. The large lot sizes and low density, as well as the fact that the proposed street serves only 21 lots, constitute a unique hardship that was not created by the applicant.

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.

The requested variance does not confer upon the applicant any special right or privilege. The variance process is available to all developers.

The hardship from which relief is sought is not solely of an economic nature.

Strict enforcement of the maximum cul-de-sac length, as required by Sec. 98-42, constitutes a hardship that is not solely economic in nature. The hardship in this case arises from the fact that property will be developed into large, rural lots, as opposed to small suburban sized lots. The large size of the subject property necessitates a street that exceeds the 600-foot block length requirement. In addition, the number of lots proposed does not necessitate a second means of ingress/egress. Therefore, the hardship from which relief is sought is not solely of an economic nature.

The variance is not contrary to the public interest.

The proposed mid-block turnarounds serve the public interest by ensuring that fire trucks and other vehicles can easily turn around without driving to the end of the street. These mid-block turnarounds meet the intent of the block length requirement. Therefore, the requested variance is not contrary to the public interest.

Due to special conditions, the literal enforcement of this chapter would result in an unnecessary hardship.

Based on the large size and low density of the proposed development, strict adherence to the requirements of Sec. 98-42 is

infeasible, and literal enforcement of this section results in an unnecessary hardship. In addition, the 600-foot block length requirement is intended to address urban or suburban streets, and is difficult to enforce in a rural setting with very large lots.

In granting the variance the spirit of the ordinance is observed and substantial justice is done.

Although the requested cul-de-sac length substantially exceeds the maximum block length, the developer has included two mid-block turnarounds, spaced at approximately 900-foot intervals. As noted above the inclusion of these turnarounds meets the intent of the block length ordinance.

Recommendation: Staff recommends approval of the applicant's request for a variance to the maximum cul-de-sac length, as stated in Sec. 98-42 of the Code of Ordinances.

Wallis Meshier
Development Services Director
City of Burnet
PO Box 1369
1001 Buchanan Dr., Suite 4
Burnet, TX 78611

Dear Mrs. Meshier,

In regard to the new development in Oak Vista, known as Wandering Oak Circle, I would like to request a variance to the subdivision regulations for the requirement of block length not to exceed 600 feet. There are only 21 tracts that will be served by Wandering Oak Circle , ranging from 2.97 acres to 5.76 acres. Wandering Oak Circle fronts on the north side of CR 100.

I ask that you please take this into consideration.

Thank you for your time,

A handwritten signature in cursive script, reading "Ann Riddell". The signature is fluid and elegant, with a large, sweeping "A" and a long, horizontal flourish at the end.

Ann Riddell



Development Services

ITEM 5.6

Wallis Meshier, CNU-A
Director of Development
Services
(512)-715-3215
wmeshier@cityofburnet.com

Agenda Item Brief

Meeting Date: June 11, 2019

Agenda Item: The City Council of the City of Burnet, Texas will consider and take action on a proposed Preliminary Plat of a Replat of Lots 80-83, 95-99, and 130 of the Oak Vista Subdivision, a proposed residential subdivision consisting of approximately 105.08 acres and 24 residential lots, being generally located north of County Road 100 (Scenic Oaks Drive), south and west of County Road 100 (Oak Vista Drive), and east of Billy Joe Fox Drive: W. Meshier

Background: The proposed Preliminary Plat is a residential subdivision consisting of approximately 105.08 acres located north of County Road 100 (Scenic Oaks Drive), south and west of County Road 100 (Oak Vista Drive), and east of Billy Joe Fox Drive (see Exhibit A). The proposed subdivision will include twenty-four (24) residential lots ranging in size from 2.97 to 6.01 acres in size.

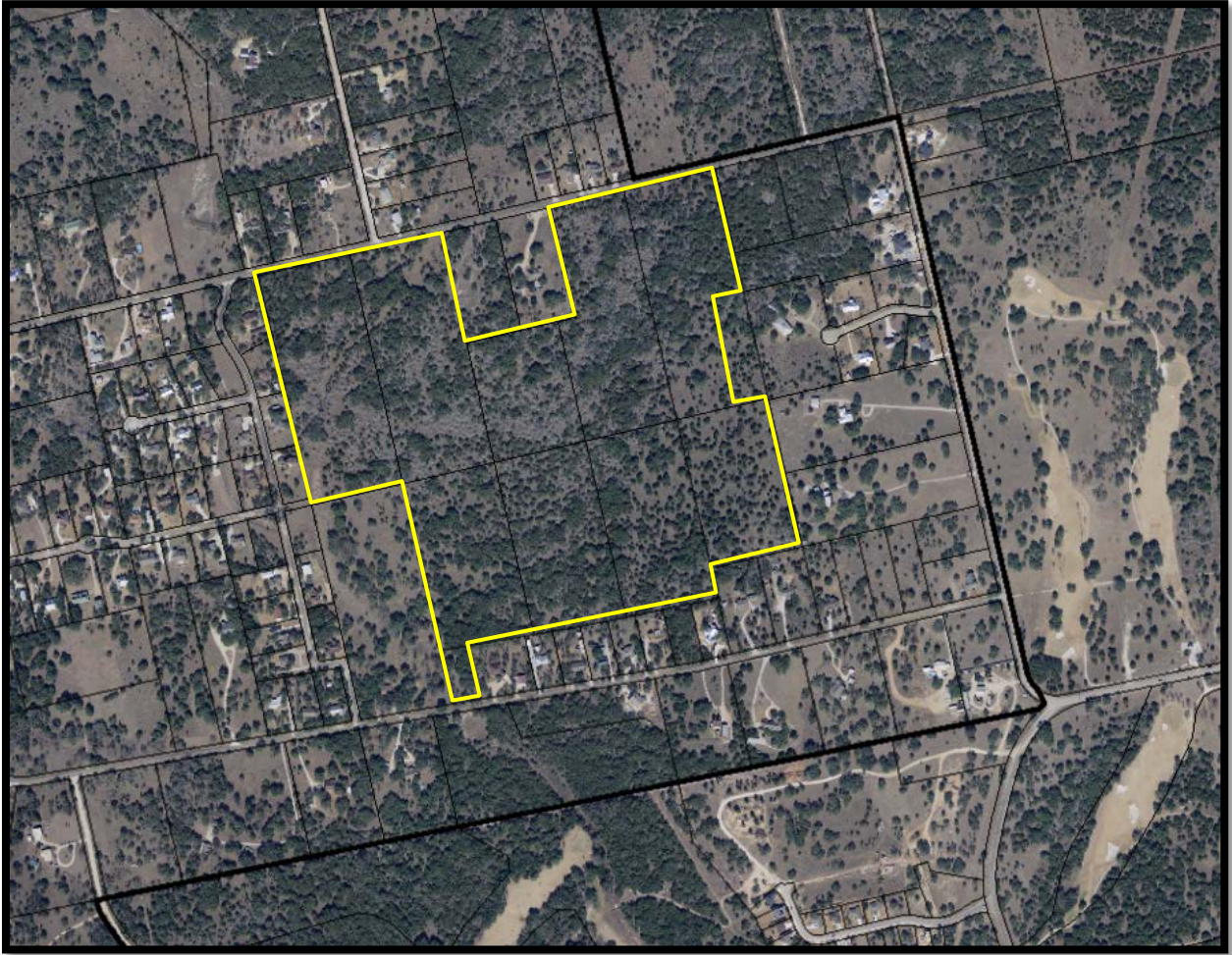
Information: The proposed Preliminary Plat has been reviewed for conformance with Chapter 98 of the City of Burnet Code of Ordinances and has been found to comply with all requirements relating to form and content, with the following exceptions:

1. Per City of Burnet Code of Ordinances Sec. 98-42, the maximum length for a cul-de-sac is 600 feet. Wandering Oak Circle is a proposed dead-end cul-de-sac with an approximate length of 2,686 feet. Therefore, approval of a subdivision variance will be required as a condition of approval of the proposed Preliminary Plat.
2. City of Burnet Code of Ordinances Sec. 98-22(d)(2)(e) requires that the Base Flood Elevation (BFE) for each lot within the 100-year floodplain to be noted on the plat. The proposed Preliminary Plat was submitted without this information. However, the applicant's engineer is currently working to provide this information, and it will be included on the Preliminary Plat prior to being signed.

A tree survey was submitted in accordance with Sec. 98-22, which shows no protected trees located within the proposed right-of-way. Conformance with the City's tree preservation, mitigation, and removal standards will be ensured during the construction plan review phase.

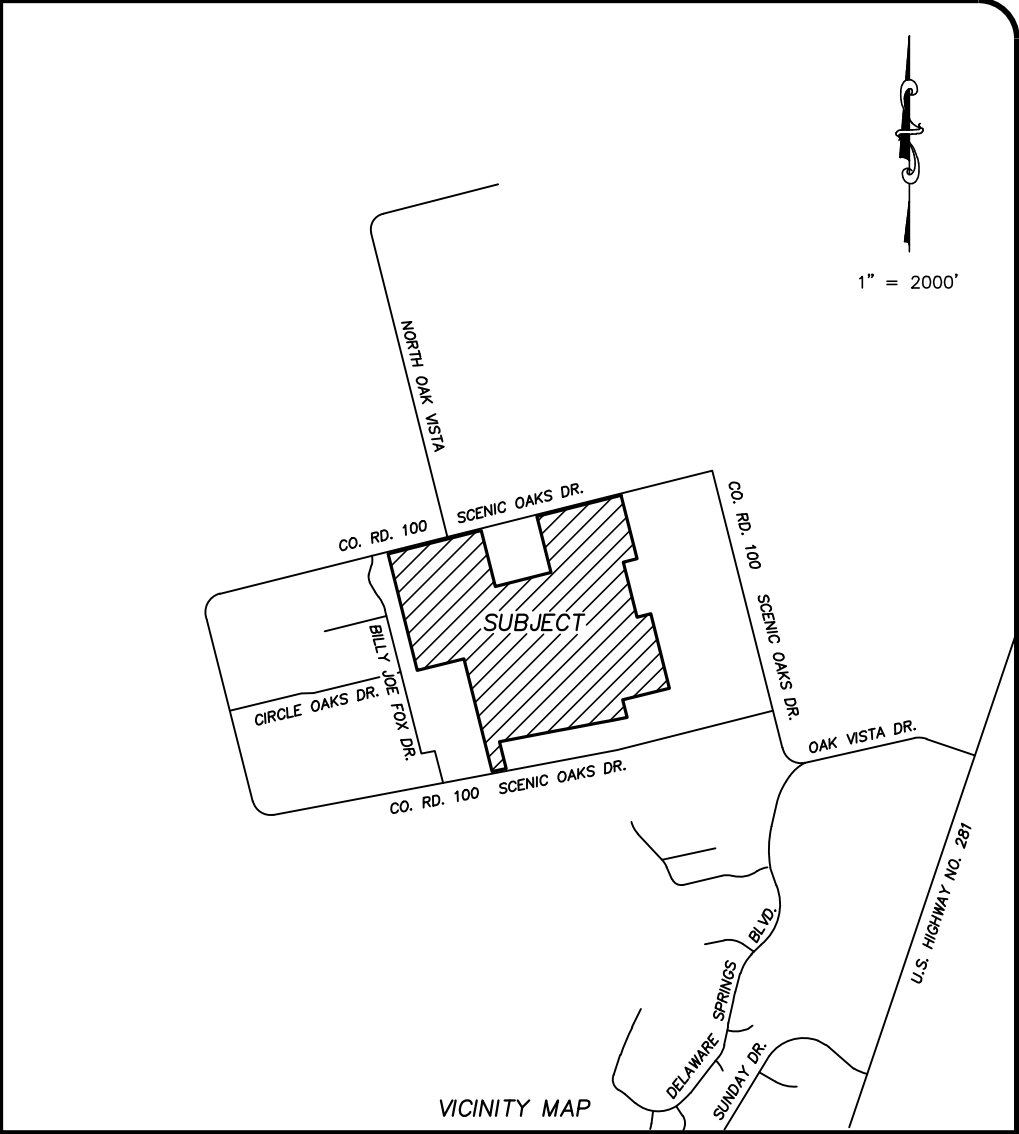
Recommendation: Staff recommends approval of the proposed Preliminary Plat of a Replat of Lots 80-83, 95-99, and 130 of the Oak Vista Subdivision with the condition that the Base Flood Elevation (BFE) of all lots within the 100-year floodplain be notated on the plat.

EXHIBIT "A"
Location



THE ATTACHED PRELIMINARY PLAT OF A REPLAT OF A PORTION OF LOT NOS. 80-83 AND 95-99, OAK VISTA SUBDIVISION AND LOT NO. 130 AS SHOWN ON THE PLAT OF REVISION OF AMENDED SURVEY PLAT OF LOT 93, LOT 94 AND PORTIONS OF LOTS 82, 83, 85, 86, 89 AND 90, OAK VISTA SUBDIVISION HAS BEEN SUBMITTED TO, AND APPROVED BY, THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AT ITS MEETING ON THE _____ DAY OF _____, 2019. THIS PRELIMINARY PLAT SHALL NOT BE FILED IN THE CLERK AND RECORD'S OFFICE FOR BURNET COUNTY, TEXAS.

WALLIS MESHIER, DIRECTOR OF DEVELOPMENT SERVICES, CITY OF BURNET, TEXAS



NOTES:

- A PORTION OF THE PROPERTY SHOWN HEREON DOES LIE WITHIN 100 YEAR FLOOD PLAIN AS SHOWN ON THE BURNET COUNTY FLOOD INSURANCE RATE MAP NOS. 48053C0340F, DATED MARCH 15, 2012.
- ALL PROPERTY HEREIN IS SUBJECT TO THE LOWER COLORADO RIVER AUTHORITY'S HIGHLAND LAKES WATERSHED ORDINANCE. WRITTEN NOTIFICATION AND/OR PERMITS ARE REQUIRED PRIOR TO COMMENCING ANY DEVELOPMENT ACTIVITIES. CONTACT LCRA WATERSHED MANAGEMENT AT 1-800-776-5272, EXTENSION 2324 FOR MORE INFORMATION.
- BASIS OF BEARINGS FOR THIS SURVEY IS THE TEXAS LAMBERT GRID, CENTRAL ZONE, NAD83.
- EACH DWELLING CONSTRUCTED OR PLACED ON THE SUBDIVISION SHALL BE CONNECTED TO A PRIVATE SEPTIC SYSTEM MEETING THE SPECIFICATIONS AND REQUIREMENTS OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND BURNET COUNTY.
- WATER IS PROVIDED BY PRIVATE WELLS.
- THE COUNTY SHALL NOT BE RESPONSIBLE FOR THE QUANTITY OR QUALITY OF A RELIABLE WATER SOURCE.
- GARBAGE PICKUP IS AVAILABLE BY A COMMERCIAL FIRM.
- THE BUILDING AND MAINTENANCE OF ALL STREETS, ROADS AND OTHER PUBLIC THOROUGHFARES DELINEATED AND SHOWN ON THIS PLAT, AND BRIDGES AND CULVERTS NECESSARY TO BE CONSTRUCTED OR PLACED IN SUCH STREETS, ROADS AND OTHER THOROUGHFARES OR IN CONNECTION THEREWITH, SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS OR DEVELOPERS OF THE TRACT OF LAND COVERED BY THIS PLAT ACCORDING TO THE PLANS AND SPECIFICATIONS PRESCRIBED BY THE COMMISSIONER'S COURT OF BURNET COUNTY, TEXAS AND WILL NEVER BE ACCEPTED AS COUNTY ROADS BY THE COMMISSIONER'S COURT OF BURNET COUNTY, TEXAS.
- ELECTRICAL SERVICE IS PROVIDED BY PEDERNALES ELECTRIC COOP.
- THERE IS 2686 LINEAR FEET OF NEW ROAD.
- THERE ARE 24 NEW LOTS WITHIN THIS SUBDIVISION.
- BASIS OF BEARINGS FOR THIS SURVEY IS THE TEXAS LAMBERT GRID, CENTRAL ZONE, NAD83. ALL DISTANCES SHOWN HEREON ARE SURFACE BASED ON A COMBINATION SCALE FACTOR OF 1.00016389800537.
- NO LOTS WITHIN THIS SUBDIVISION SHALL BE RESUBDIVIDED INTO SMALLER TRACTS.
- LOCATION OF UTILITY EASEMENTS HEREBY CONVEYED SHALL BE LIMITED TO A STRIP OF LAND BEING FIFTEEN (15') FEET IN WIDTH ALONG ALL FRONT AND REAR LOTLINES AND SEVEN AND ONE HALF (7.5') FEET ALONG ALL SIDE LOTLINES, WITH ADDITIONAL GUYING EASEMENTS AS NEEDED, OR AS INDICATED ON SAID PLAT, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER GRANTOR'S ADJACENT LANDS TO OR FROM SAID UTILITY EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, HANGING NEW WIRE ON, MAINTAINING AND REMOVING SAID LINES AND APPURTENANCES; THE RIGHT TO RELOCATE WITHIN THE LIMITS OF SAID RIGHT-OF-WAY; THE RIGHT TO REMOVE FROM SAID RIGHT-OF-WAYS ALL TREES AND PARTS THEREOF, OR OTHER OBSTRUCTIONS WHICH ENDANGER OR MAY INTERFERE WITH THE EFFICIENCY OF SAID LINES OR THEIR APPURTENANCES.
- THIS SUBDIVISION IS SUBJECT TO ALL GENERAL NOTES AND RESTRICTIONS APPEARING ON THE PLAT OF OAK VISTA SUBDIVISION RECORDED IN CABINET 1, SLIDE 183 C & D AND SLIDE 184 A & B OF THE PLAT RECORDS OF BURNET COUNTY, TEXAS.

CURVE TABLE				
CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD BEARING
C1	92°48'31"	25.00'	40.50'	S57°38'48"E
C2	54°57'41"	200.00'	191.85'	S16°14'19"W
C3	35°42'57"	250.00'	155.84'	S25°51'41"W
C4	16°45'44"	775.00'	226.73'	S00°22'40"E
C5	06°29'21"	725.00'	82.11'	S05°30'51"E
C6	01°50'53"	725.00'	23.39'	S07°50'05"E
C7	3°42'16"	725.00'	46.87'	S05°03'30"E
C8	101°01'33"	25.00'	44.08'	S47°26'46"W
C9	18°54'38"	725.00'	239.29'	S72°35'09"E
C10	12°04'36"	725.00'	152.81'	N76°00'10"W
C11	06°50'02"	725.00'	86.47'	N66°32'51"W
C12	53°58'05"	25.00'	23.55'	N36°08'47"W
C13	287°56'10"	60.00'	301.53'	S26°52'10"W
C14	68°55'10"	60.00'	72.17'	N43°37'20"W
C15	69°02'28"	60.00'	72.30'	S67°32'51"W
C16	46°57'57"	60.00'	49.18'	S09°23'39"W
C17	103°00'36"	60.00'	107.87'	S65°35'37"E
C18	53°58'05"	25.00'	23.55'	N89°53'08"E
C19	18°54'38"	775.00'	255.79'	S72°35'09"E

CURVE TABLE				
CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD BEARING
C20	53°58'05"	25.00'	23.55'	S55°03'25"E
C21	208°57'44"	60.00'	218.82'	N47°26'46"E
C22	76°48'31"	60.00'	80.43'	S66°28'38"E
C23	47°21'24"	60.00'	49.59'	N51°26'24"E
C24	84°47'49"	60.00'	88.80'	N14°38'12"W
C25	53°58'05"	25.00'	23.55'	N30°03'04"W
C26	06°29'21"	775.00'	87.77'	N05°30'51"W
C27	2°35'00"	775.00'	34.94'	N04°16'12"W
C28	03°11'49"	775.00'	43.24'	N07°09'37"W
C29	16°45'44"	725.00'	212.10'	N00°22'40"W
C30	35°42'57"	200.00'	124.67'	N25°51'41"E
C31	55°59'00"	250.00'	244.27'	N15°43'39"E
C32	88°12'47"	25.00'	38.49'	N31°50'33"E
C33	53°00'48"	25.00'	23.13'	N24°14'13"E
C34	106°04'42"	60.00'	111.09'	N02°17'44"W
C35	52°21'22"	25.00'	22.84'	N29°09'24"W
C36	55°46'15"	25.00'	24.33'	S24°40'45"W
C37	109°44'45"	60.00'	114.93'	S02°18'30"E
C38	54°54'41"	25.00'	23.96'	S29°43'31"E

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S08°00'12"W	58.24'
L2	N08°00'12"E	58.24'
L3	N12°32'09"E	122.13'
L3	N12°32'09"E	122.13'
L4	N12°32'09"E	73.08'
L5	N04°55'26"W	127.41'
L6	N10°29'05"W	134.72'
L7	S36°24'44"W	96.31'
L8	S36°24'44"W	100.48'
L9	S19°12'50"W	161.17'
L10	S21°10'15"W	85.52'
L11	S46°57'11"W	46.72'
L12	S14°32'42"W	37.14'
L13	S14°32'42"W	135.55'
L14	S03°46'33"W	36.98'
L15	S05°38'13"E	109.76'
L16	S75°54'41"W	60.80'
L17	S75°54'41"W	64.14'
L18	S75°54'41"W	54.75'
L19	N44°08'51"E	69.38'
L20	S62°41'45"E	85.94'
L21	S35°49'40"E	45.27'

DEVELOPER:
BIG LEAF, LTD.
605 N. WATER
BURNET, TEXAS 78611

ENGINEER:
WILLIAM H ENGINEERING
1001 BUCHANAN DRIVE
SUITE 2
BURNET, TEXAS 78611
512-553-1555

A PRELIMINARY PLAT OF
A REPLAT OF A PORTION OF
LOT NOS. 80-83 AND 95-99
OAK VISTA SUBDIVISION
AND LOT NO. 130 AS SHOWN ON THE PLAT OF
REVISION OF AMENDED SURVEY PLAT OF LOT 93, LOT 94
AND PORTIONS OF LOTS 82, 83, 85, 86, 89 AND 90
OAK VISTA SUBDIVISION
105.08 ACRES
OUT OF THE
EUGENIO PEREZ SURVEY NO. 41
ABSTRACT NO. 672
BURNET COUNTY, TEXAS

PROJECT NO. 181736
PREPARED FOR: BIG LEAF, LTD.
TECH: B. BURTON
APPROVED: D. STARK
DATE:
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1500 OLLIE LANE
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	2	
	1	
DATE	NO.	DESCRIPTION
REVISIONS		

1 OF 4
SHEET

FIELD NOTES OF A 105.08 ACRE TRACT OF LAND OUT OF THE EUGENIO PEREZ SURVEY NO. 41, ABSTRACT NO. 672, IN BURNET COUNTY, TEXAS AND CONSISTING OF A PORTION OF THOSE CERTAIN LOT NOS. 80, 81, 82, 83, 97, 98 AND 99 AND ALL OF THOSE CERTAIN LOT NOS. 95 AND 96, OAK VISTA SUBDIVISION, RECORDED IN CABINET 1, SLIDES 183 C-D AND 184 A & B OF THE PLAT RECORDS OF BURNET COUNTY, TEXAS AND THAT CERTAIN LOT NO. 130 AS SHOWN ON THE PLAT OF REVISION OF AMENDED SURVEY PLAT OF LOT 93, LOT 94 AND PORTIONS OF LOTS 82, 83, 85, 86, 89 AND 90, OAK VISTA SUBDIVISION, RECORDED IN CABINET 3, SLIDE 123 B OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, AND BEING A PORTION OF THOSE SAME TRACTS DESCRIBED IN VOLUME 618, PAGE 569 OF THE REAL PROPERTY RECORDS OF BURNET COUNTY, TEXAS. SAID 105.08 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND FOR THE SOUTHERN RIGHT OF WAY LINE OF BURNET COUNTY ROAD NO. 100, AND BEING THE NORTHWEST CORNER OF LOT NO. 74A-1 AS SHOWN ON THE PLAT OF A REPLAT OF LOT 74-A, OAK VISTA SUBDIVISION, OF RECORD IN DOCUMENT NO. 201706220 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, THE NORTHEAST CORNER OF LOT 99 AND THE NORTHEAST CORNER HEREOF;

THENCE S14°12'16"E, LEAVING THE SOUTHERN RIGHT OF WAY LINE OF BURNET COUNTY ROAD NO. 100 AND ALONG THE WESTERN BOUNDARY LINES OF LOT NO. 74A-1 AND A REMNANT OF LOT NO. 75 AS SHOWN ON THE PLAT OF SAID OAK VISTA SUBDIVISION, THE EASTERN BOUNDARY LINE OF TRACT NO. 99 AND THE EAST LINE HEREOF, A DISTANCE OF 680.27 FEET TO A 3/8" IRON ROD FOUND AT THE NORTHWEST CORNER OF LOT NO. 4 AS SHOWN ON THE PLAT OF REPLAT OF LOTS 75 AND 76, OAK VISTA SUBDIVISION, OF RECORD IN CABINET 2, SLIDE 173C OF THE PLAT RECORDS OF BURNET COUNTY, TEXAS, THE SOUTHWEST CORNER OF THE REMAINDER OF LOT NO. 75, AND AN ANGLE POINT HEREOF;

THENCE S75°59'18"W, CROSSING INTO SAID LOT NO. 99, A DISTANCE OF 148.04 FEET TO A 1/2" IRON ROD SET WITH PLASTIC SURVEY CAP STAMPED CUPLIN, FOR A REENTRANT CORNER HEREOF;

THENCE S14°05'23"E, AT 570.42 FEET PASSING THE NORTHERN BOUNDARY LINE OF LOT NO. 80 AND THE SOUTHERN BOUNDARY LINE OF LOT NO. 99, IN ALL A DISTANCE OF 588.66 FEET TO A 1/2" IRON ROD SET WITH PLASTIC SURVEY CAP STAMPED CUPLIN, FOR A REENTRANT CORNER HEREOF;

THENCE N75°57'10"E, A DISTANCE OF 148.04 FEET TO A 1/2" IRON ROD SET WITH PLASTIC SURVEY CAP STAMPED CUPLIN, IN THE EASTERN BOUNDARY LINE OF SAID LOT 80, AT THE NORTHWEST CORNER OF LOT 77, OAK VISTA SUBDIVISION AND THE SOUTHWEST CORNER OF SAID LOT 4, REPLAT OF LOTS 75 AND 76, FOR AN ANGLE POINT HEREOF;

THENCE S14°08'16"E, WITH THE WESTERN BOUNDARY LINES OF LOTS NOS. 77 AND 78 AND THE EASTERN BOUNDARY LINE OF LOT NO. 80, A DISTANCE OF 800.00 FEET TO A 1/2" IRON ROD FOUND, AT THE SOUTHWEST CORNER OF LOT NO. 78, AND THE NORTHWEST CORNER OF LOT NO. 79A AS SHOWN ON THE PLAT OF A SHORT FORM REPLAT OF LOTS 79A, 79B, 79C, 79D, 79E & 79F, OAK VISTA, OF RECORD IN DOCUMENT NO. 201505144 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, FOR THE NORTHEAST CORNER OF A 2.79 ACRE TRACT OF LAND DESCRIBED IN A DEED TO STANFORD C. TODD AND WIFE, PEGGY J. TODD IN VOLUME 875, PAGE 333 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS AND THE EASTERMOST SOUTHEAST CORNER HEREOF;

THENCE S75°53'03"W, ALONG THE NORTHERN BOUNDARY LINE OF SAID 2.79 ACRE TODD TRACT AND THE NORTHERN BOUNDARY LINE OF A 2.599 ACRE TRACT OF LAND DESCRIBED IN A DEED TO MANUEL GUTIERREZ AND WIFE, GUADALUPE GUTIERREZ, OF RECORD IN VOLUME 605, PAGE 15 OF THE REAL PROPERTY RECORDS OF BURNET COUNTY, TEXAS, A DISTANCE OF 501.86 FEET TO A 5/8" IRON ROD FOUND IN THE EASTERN BOUNDARY LINE OF LOT NO. 81 AND THE WESTERN BOUNDARY LINE OF LOT NO. 80, FOR THE NORTHWEST CORNER OF SAID 2.599 ACRE GUTIERREZ TRACT AND A REENTRANT CORNER HEREOF;

THENCE S14°11'49"E, ALONG THE WESTERN BOUNDARY LINE OF SAID GUTIERREZ TRACT AND THE EASTERN BOUNDARY LINE OF LOT NO. 81, A DISTANCE OF 188.94 FEET TO A 3/8" IRON ROD FOUND, IN THE EASTERN BOUNDARY LINE OF SAID LOT NO. 81 AND THE NORTHEAST CORNER OF A 1.0 ACRE TRACT OF LAND DESCRIBED IN A DEED TO LARRY TAYLOR, ET UX, OF RECORD IN DOCUMENT NO. 201601682 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, FOR THE SOUTHERNMOST SOUTHEAST CORNER HEREOF;

THENCE WITH THE SOUTHERN BOUNDARY LINE OF THE REMNANTS OF LOTS 81, 82, AND 83 AND THE SOUTH LINE HEREOF WITH FIVE (5) COURSES AND DISTANCES AS FOLLOWS:

(1) S79°25'50"W, ALONG THE NORTHERN BOUNDARY LINE OF SAID TAYLOR TRACT, A DISTANCE OF 153.35 FEET TO A 3/8" IRON ROD FOUND, AT THE NORTHWEST CORNER OF SAID 1.0 ACRE TAYLOR TRACT AND THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED AS 1.00 ACRES IN A DEED TO CHARLES M. LARGENT, ET UX, IN VOLUME 1117, PAGE 51 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, FOR AN ANGLE POINT HEREOF;

(2) S79°12'08"W, WITH THE NORTHERN BOUNDARY LINE OF SAID LARGENT TRACT, A DISTANCE OF 149.59 FEET TO A 1/2" IRON ROD FOUND WITH PLASTIC SURVEY CAP STAMPED ALLSTAR RPLS 5279, AT THE NORTHWEST CORNER OF SAID LARGENT TRACT AND THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED AS 1.0 ACRES IN A DEED TO TABITHA A. BALL, ET VIR, OF RECORD IN DOCUMENT NUMBER 201600899 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, FOR AN ANGLE POINT HEREOF;

(3) S79°22'36"W, WITH THE NORTHERN BOUNDARY LINE OF SAID BALL TRACT AND OF A TRACT OF LAND DESCRIBED AS 1.00 IN A DEED TO MICHAEL J. NAGLE, SR., ET UX, OF RECORD IN DOCUMENT NUMBER 200701505 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, A DISTANCE OF 300.14 FEET TO A 1/2" IRON ROD FOUND WITH PLASTIC SURVEY CAP STAMPED CCC RPLS 4835, AT THE NORTHWEST CORNER OF SAID NAGLE TRACT AND THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED AS 1.000 ACRES IN A DEED TO IAN AHEARN, OF RECORD IN DOCUMENT NUMBER 201706782 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, FOR AN ANGLE POINT HEREOF;

(4) S79°24'43"W, WITH THE NORTHERN BOUNDARY LINE OF SAID AHEARN TRACT, A DISTANCE OF 150.53 FEET TO A 1/2" IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID AHEARN TRACT AND AT THE NORTHEAST CORNER OF LOT NO. 126, AS SHOWN ON THE PLAT OF REVISION OF AMENDED SURVEY PLAT OF LOT 93, LOT 94 AND PORTIONS OF LOTS 82, 83, 85, 86, 89 AND 90, OAK VISTA SUBDIVISION, OF RECORD IN CABINET 3, SLIDE 123B PLAT RECORDS OF BURNET COUNTY, TEXAS, (HEREAFTER CALLED "REVISION OF AMENDED SURVEY PLAT") FOR ANGLE POINT HEREOF;

(5) S79°20'19"W, ALONG THE NORTHERN BOUNDARY LINE OF LOT NOS. 126, 127, 128, AND 129, OF SAID REVISION OF AMENDED SURVEY PLAT, A DISTANCE OF 599.77 FEET TO A 1/2" IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID LOT NO. 129, AND AT THE NORTHEAST CORNER OF LOT NO. 130, REVISION OF AMENDED SURVEY PLAT, FOR A REENTRANT CORNER HEREOF;

THENCE S14°08'39"E, ALONG THE EASTERN BOUNDARY LINE OF SAID LOT NO. 130 AND THE WESTERN BOUNDARY LINE OF SAID LOT NO. 129, A DISTANCE OF 291.11 FEET TO A 1/2" IRON ROD FOUND IN THE NORTHERN RIGHT OF WAY LINE OF BURNET COUNTY ROAD NO. 100, AT THE SOUTHEAST CORNER OF SAID LOT NO. 130 AND THE SOUTHWEST CORNER OF SAID LOT NO. 129 FOR THE SOUTHERNMOST SOUTHEAST CORNER HEREOF;

THENCE S79°18'12"W, ALONG THE NORTHERN RIGHT OF WAY LINE OF BURNET COUNTY ROAD NO. 100, AND ALONG THE SOUTHERN BOUNDARY LINE OF SAID LOT NO. 130, A DISTANCE OF 149.73 FEET TO A 1/2" IRON ROD FOUND IN THE NORTHERN RIGHT OF WAY LINE OF SAID BURNET COUNTY ROAD NO. 100, AT THE SOUTHWEST CORNER OF LOT NO. 130, AND SOUTHEAST CORNER OF LOT NO. 84, OAK VISTA SUBDIVISION, FOR THE SOUTHWEST CORNER HEREOF;

THENCE N14°05'30"W, LEAVING THE NORTHERN RIGHT OF WAY LINE OF BURNET COUNTY ROAD NO. 100, ALONG THE EASTERN BOUNDARY LINE OF SAID LOT NO. 84, AND THE WESTERN BOUNDARY LINE OF SAID LOT NO. 130, REVISION OF AMENDED SURVEY PLAT, AND THE REMAINDER OF LOT NO. 83, OAK VISTA SUBDIVISION, A DISTANCE OF 1208.50 FEET TO A 1/2" IRON ROD FOUND, AT THE SOUTHEAST CORNER OF LOT NO. 95, THE SOUTHWEST CORNER OF LOT 96, THE NORTHWEST CORNER OF LOT NO. 83, AND THE NORTHEAST CORNER OF LOT NO. 84, OAK VISTA SUBDIVISION, FOR A REENTRANT CORNER HEREOF;

THENCE S75°56'48"W, ALONG THE SOUTHERN BOUNDARY LINE OF SAID LOT NO. 95 AND THE NORTHERN BOUNDARY LINE OF SAID LOT NO. 84, A DISTANCE OF 499.37 FEET TO A 1/2" IRON ROD FOUND, IN THE EASTERN BOUNDARY LINE OF LOT NO. 133, REVISION OF AMENDED SURVEY PLAT, AT THE SOUTHWEST CORNER OF LOT 95 AND THE NORTHWEST CORNER OF LOT 84, FOR THE WESTERNMOST SOUTHWEST CORNER HEREOF;

THENCE N14°05'54"W, ALONG THE EASTERN BOUNDARY LINES OF LOT NOS. 133, 121, 122, 123, 124, AND 125, REVISION OF AMENDED SURVEY PLAT, AND THE WESTERN BOUNDARY LINE OF SAID LOT NO. 95, OAK VISTA SUBDIVISION, A DISTANCE OF 1250.21 FEET TO A 1/2" IRON ROD SET WITH PLASTIC SURVEY CAP STAMPED CUPLIN, IN THE SOUTHERN RIGHT OF WAY LINE OF BURNET COUNTY ROAD NO. 100, AT THE NORTHEAST CORNER OF LOT NO. 125, REVISION OF AMENDED SURVEY PLAT, FOR THE NORTHWEST CORNER OF SAID LOT 95, OAK VISTA SUBDIVISION, AND THE NORTHWEST CORNER HEREOF;

THENCE N75°54'11"E, WITH THE SOUTHERN RIGHT OF WAY LINE OF BURNET COUNTY ROAD NO. 100, AND THE NORTHERN BOUNDARY LINE OF LOT NOS. 95 AND 96, A DISTANCE OF 999.25 FEET TO A 1/2" IRON ROD FOUND AT THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED AS 4.129 ACRES IN A DEED TO MARK ALLEN MILLER AND JENNIFER HOLIMAN MILLER OF RECORD IN DOCUMENT NO. 201703846 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, FOR THE NORTHEAST CORNER OF LOT NO. 96, THE NORTHWEST CORNER OF LOT NO. 97 AND AN ANGLE POINT HEREOF;

THENCE S14°06'08"E, ALONG THE EASTERN BOUNDARY LINE OF LOT NO. 96 AND THE WESTERN BOUNDARY LINE OF SAID 4.129 ACRE MILLER TRACT AND SAID LOT NO. 97, A DISTANCE OF 599.82 FEET TO A 5/8" IRON ROD FOUND, AT THE SOUTHWEST CORNER OF SAID 4.129 ACRE MILLER TRACT AND AT THE NORTHWEST CORNER OF THE REMAINDER OF SAID LOT NO. 97, FOR A REENTRANT CORNER HEREOF;

THENCE N75°53'38"E, ALONG THE SOUTHERN BOUNDARY LINE OF SAID 4.129 ACRE MILLER TRACT, AND THE SOUTHERN BOUNDARY LINE OF A TRACT OF LAND DESCRIBED AS 4.13 ACRES IN A DEED TO WARREN A. GOFF AND BETTY J. GOFF OF RECORD IN VOLUME 1266, PAGE 589 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, A DISTANCE OF 600.00 FEET TO A 5/8" IRON ROD FOUND, AT THE SOUTHEAST CORNER OF SAID 4.13 ACRE GOFF TRACT, FOR A REENTRANT CORNER HEREOF;

THENCE N14°06'52"W, ALONG THE EASTERN BOUNDARY LINE OF SAID 4.13 ACRE GOFF TRACT, A DISTANCE OF 600.15 FEET TO A 5/8" IRON ROD FOUND IN THE SOUTH RIGHT OF WAY OF BURNET COUNTY ROAD NO. 100, AT THE NORTHEAST CORNER OF SAID 4.13 ACRE GOFF TRACT, FOR AN ANGLE POINT HEREOF;

THENCE N75°56'56"E, ALONG THE NORTHERN BOUNDARY LINE OF LOT NO. 98 AND 99 AND THE SOUTHERN RIGHT OF WAY LINE OF BURNET COUNTY ROAD NO. 100, A DISTANCE OF 900.08 FEET, TO THE POINT OF BEGINNING, AND CALCULATED TO CONTAIN 105.08 ACRES.



OWNERSHIP TABLE		
NO.	NAME	DEED REFERENCE
01	JEFFREY A. BOWMAN ET UX	DOC. NO. 201611845 O.P.R.B.C.T.
02	EDWARD L. MIDDLEBROOKS ET UX	VOL., 1091, PG. 977 O.P.R.B.C.T.
03	NATHAN S. GUTHRIE	DOC. NO. 201203648 O.P.R.B.C.T.
04	JOHN E. WHITMAN	DOC. NO. 201503554 O.P.R.B.C.T.
05	JOHN W. IRVING	DOC. NO. 201804181 O.P.R.B.C.T.
06	WILFRED G. MALLARI ET UX	DOC. NO. 201509602 O.P.R.B.C.T.
07	SAMUEL A. WILSON ET UX	VOL. 933, PG. 897 O.P.R.B.C.T.
08	DANA L. JOHNSON	DOC. NO. 201200638 O.P.R.B.C.T.
09	BRYAN LYNN	DOC. NO. 201503469 O.P.R.B.C.T.
010	JACK BOURKE	DOC. NO. 201611218 O.P.R.B.C.T.
011	LARRY TAYLOR ET UX	DOC. NO. 201601682 O.P.R.B.C.T.
012	CHARLES M. LARGENT ET UX	VOL. 1117 PG. 51 O.P.R.B.C.T.
013	TABITHA A. BALL ET UX	DOC. NO. 201600899 O.P.R.B.C.T.
014	MICHAEL J. NAGLE, SR. ET UX	DOC. NO. 200701505 O.P.R.B.C.T.
015	IAN AHEARN	DOC. NO. 201706782 O.P.R.B.C.T.
016	EAGLE RIDGE BUILDERS, LTD	VOL. 1438 PG. 598 O.P.R.B.C.T.
017	ALLAN L. HANCOCK ET UX	DOC. NO. 201109737 O.P.R.B.C.T.
018	MICHAEL A. CHILDERS ET UX	DOC. NO. 201306822 O.P.R.B.C.T.
019	JAMES M. MUELLER	DOC. NO. 201009944 O.P.R.B.C.T.
020	ROGER D. SMITH	VOL. 1255, PG. 654 O.P.R.B.C.T.
021	LINDSEY M. YOW	DOC. NO. 201712452 O.P.R.B.C.T.
022	ROGER BRUCE MAHAN	DOC. NO. 201507633 O.P.R.B.C.T.
023	K BAR T CUSTOM HOMES, INC.	VOL 1457, PG. 379 O.P.R.B.C.T.

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A REPLAT OF A PORTION OF
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105.08 ACRES
OUT OF THE
EUGENIO PEREZ SURVEY NO. 41
ABSTRACT NO. 672
BURNET COUNTY, TEXAS

PROJECT NO. 181736
PREPARED FOR: BIG LEAF, LTD.
TECH: B. BURTON
APPROVED: D. STARK
DATE:
COPYRIGHT: 2018

1500 OLLIE LANE
MARBLE FALLS, TX. 78654
PH.325-388-3300 / 830-693-8815
WWW.CUPLINASSOCIATES.COM



	2	
	1	
DATE	NO.	DESCRIPTION
REVISIONS		

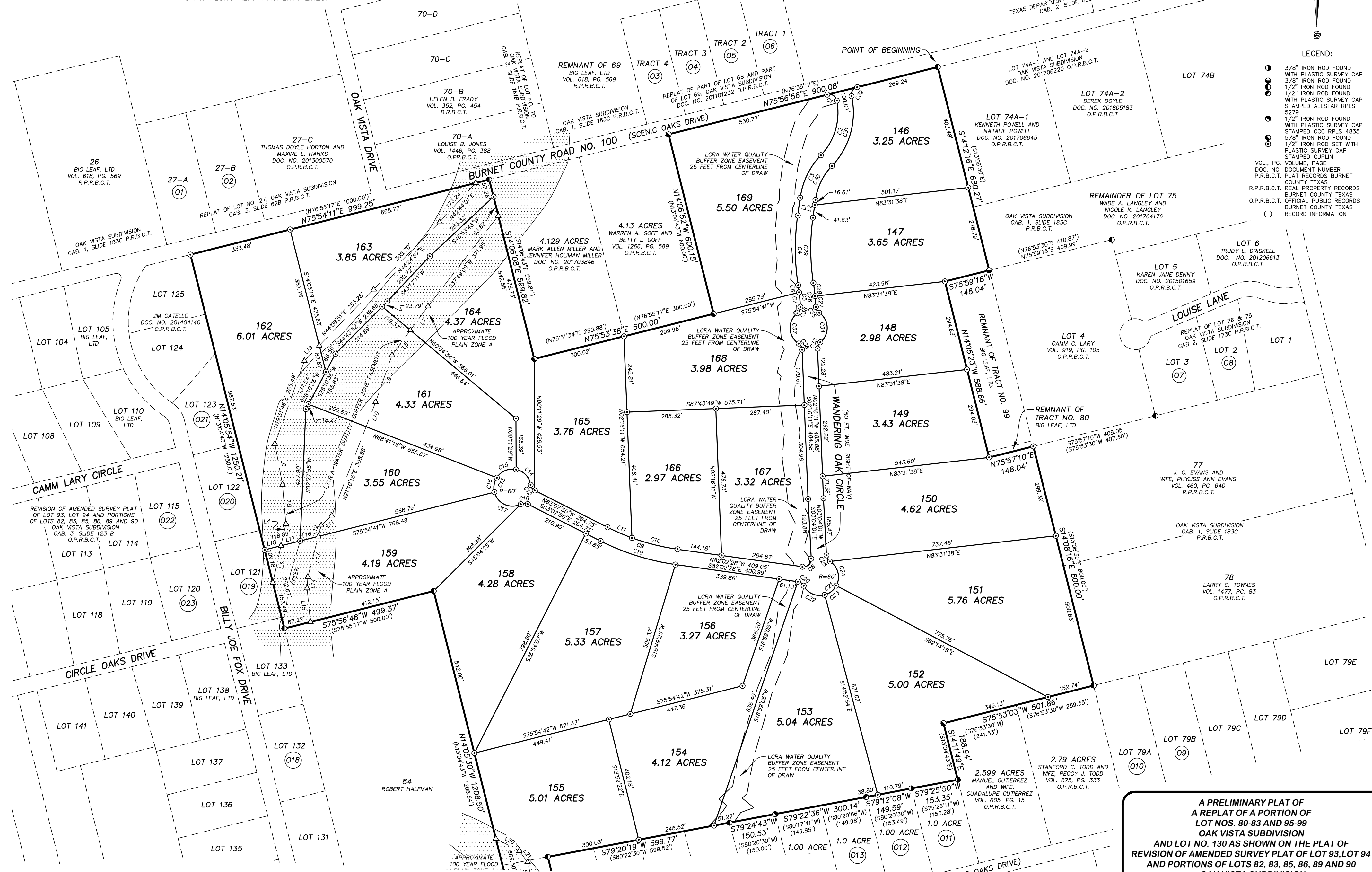
2 of 4
SHEET

UNLESS OTHERWISE SHOWN HEREON THE
FOLLOWING BUILDING SETBACKS SHALL
APPLY:

50 FT. ALONG FRONT PROPERTY LINES.
25 FT. ALONG SIDE PROPERTY LINES.
25 FT. ALONG REAR PROPERTY LINES.

UNLESS OTHERWISE SHOWN HEREON THE
FOLLOWING UTILITY EASEMENTS SHALL
APPLY:

15 FT. ALONG FRONT PROPERTY LINES.
10 FT. ALONG SIDE PROPERTY LINES.
15 FT. ALONG REAR PROPERTY LINES.




3/8" IRON ROD FOUND
 WITH PLASTIC SURVEY CAP
 3/8" IRON ROD FOUND
 1/2" IRON ROD FOUND
 1/2" IRON ROD FOUND
 WITH PLASTIC SURVEY CAP
 STAMPED ALLSTAR RPLS
 5279
 1/2" IRON ROD FOUND
 WITH PLASTIC SURVEY CAP
 STAMPED CCC RPLS 4835
 3/8" IRON ROD FOUND
 1/2" IRON ROD SET WITH
 PLASTIC SURVEY CAP
 STAMPED CUPLIN
 VOLUME, PAGE
 DOCUMENT NUMBER
 PLAT RECORDS BURNET
 COUNTY TEXAS
 R.R.B.C.T. REAL PROPERTY RECORDS
 BURNET COUNTY TEXAS
 R.R.B.C.T. OFFICIAL PUBLIC RECORDS
 BURNET COUNTY TEXAS
 RECORD INFORMATION

PROJECT NO. 181736	
PREPARED FOR: BIG LEAF, LTD.	
TECH: B. BURTON	
APPROVED: D. STARK	
DATE:	
COPYRIGHT: 2019	PROFESSIONAL FIRM NO: 10126900

1500 OLLIE LANE
MARBLE FALLS, TX. 78654
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SCALE 1" = 200'

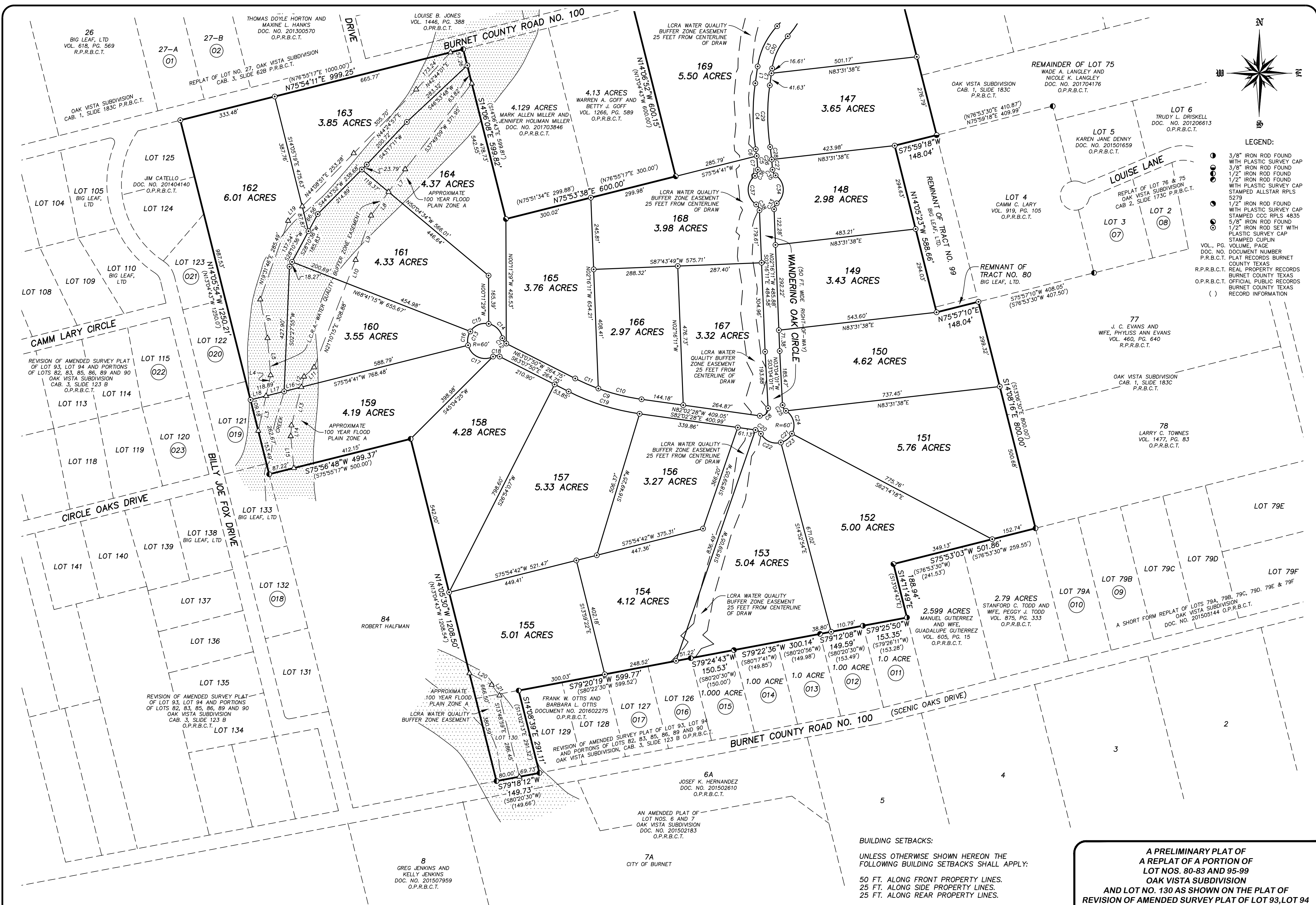


A horizontal scale bar with tick marks at 0, 100, and 200. The segment between 0 and 100 is divided into two equal parts, each filled with a different hatching pattern (one with diagonal lines, one with horizontal lines). The segment between 100 and 200 is filled with a solid black pattern.

			3 OF 4 SHEET
	2		
	1		
DATE	NO.	DESCRIPTION	
REVISIONS			

3 OF 4
SHEET

**A PRELIMINARY PLAT OF
A REPLAT OF A PORTION OF
LOT NOS. 80-83 AND 95-99
OAK VISTA SUBDIVISION
AND LOT NO. 130 AS SHOWN ON THE PLAT OF
REVISION OF AMENDED SURVEY PLAT OF LOT 93, LOT 94
AND PORTIONS OF LOTS 82, 83, 85, 86, 89 AND 90
OAK VISTA SUBDIVISION
105.08 ACRES
OUT OF THE
EUGENIO PEREZ SURVEY NO. 41
ABSTRACT NO. 672
BURNET COUNTY, TEXAS**




PROJECT NO. 181736	
PREPARED FOR: BIG LEAF, LTD.	
TECH: B. BURTON	
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1500 OLLIE LANE
MARBLE FALLS, TX. 78654
PH.325-388-3300 / 830-693-8815
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SCALE 1" = 200'



A horizontal scale bar with tick marks at 0, 100, and 200 feet. The segment between 0 and 100 is solid black, and the segment between 100 and 200 is white with a black border.

	2	
	1	
DATE	NO.	DESCRIPTION
REVISIONS		

4 OF 4
SHEET

BUILDING SETBACKS:

**UNLESS OTHERWISE SHOWN HEREON THE
FOLLOWING BUILDING SETBACKS SHALL APPLY:**

50 FT. ALONG FRONT PROPERTY LINES
25 FT. ALONG SIDE PROPERTY LINES.
25 FT. ALONG REAR PROPERTY LINES.

UTILITY EASEMENTS:

UNLESS OTHERWISE SHOWN HEREON THE
FOLLOWING UTILITY EASEMENTS SHALL APPLY:

15 FT. ALONG FRONT PROPERTY LINES.
10 FT. ALONG SIDE PROPERTY LINES.
15 FT. ALONG REAR PROPERTY LINES.

A PRELIMINARY PLAT OF
A REPLAT OF A PORTION OF
LOT NOS. 80-83 AND 95-99
OAK VISTA SUBDIVISION
AND LOT NO. 130 AS SHOWN ON THE PLAT OF
REVISION OF AMENDED SURVEY PLAT OF LOT 93, LOT 94
AND PORTIONS OF LOTS 82, 83, 85, 86, 89 AND 90
OAK VISTA SUBDIVISION
105.08 ACRES
OUT OF THE
EUGENIO PEREZ SURVEY NO. 41
ABSTRACT NO. 672
BURNET COUNTY, TEXAS



Development Services

ITEM 5.7

Wallis Meshier
Director of Development Services
(512) 715-3215
wmeshier@cityofburnet.com

Agenda Item Brief

Meeting Date: June 11, 2019

Agenda Item: Discuss and consider action: A request for approval of a proposed On-Site Sewage Facility (OSSF) on a proposed 0.91 acre lot located on the west side of South Water Street between Delaware Springs Boulevard and Sunday Drive, as required by City of Burnet Code of Ordinances Sec. 98-45(a)(2): W. Meshier

Background: The subject property is located on the west side of South Water Street, north of Delaware Creek, between Delaware Springs Boulevard and Sunday Drive. City of Burnet Code of Ordinances Sec. 98-45(a)(2) states in part that "in those cases where an approved public wastewater collection main is not located within a reasonable distance, an alternative wastewater system may be constructed with City Council approval."

Information: This item is for consideration of a request to install an On-Site Sewage Facility (OSSF) on the subject property, instead of installing a gravity sewer line to the property. There is no existing gravity sewer line within a reasonable distance of the subject property, and extension of a gravity sewer line to the property would be cost prohibitive. There is an existing 8-inch force main adjacent to the property to the south. However, tapping into the existing force main is not advisable due to the risk of the sewer backing up and flooding the property.

Recommendation: Staff recommends approval of the request for the alternative wastewater system as proposed. The proposed On-Site Sewage Facility (OSSF) is the most reasonable and cost effective alternative to extending gravity sewer to the site.

EXHIBIT "A"
Location





KC ENGINEERING, INC.

705 North Hwy 281, Suite 103 • Marble Falls, Texas 78654 • Phone 830.693.5635 • Fax 830.693.9664 • www.kcengineering.com

May 28, 2019
Project Number: 19-155

Ms. Wallis Meshier
Director of Development Services
City of Burnet
1001 Buchanan Drive
Suite 4
Burnet, TX 78611

Re: Capital Farm Credit – Burnet, Texas
Variance Request

Dear Wallis:

K.C. Engineering, Inc. (KCE) is submitting this letter on behalf of our Client, Capital Farm Credit, to request a variance for the proposed site. The site is situated adjacent to, and west of, U.S. Highway No. 281, just north of Delaware Creek. A conceptual site layout has been included with this variance request for reference.

The variance being requested is for approval of the use of an On-Site Sewage Facility (OSSF) for the site. KCE, at the direction of the Client, has coordinated with City Staff regarding multiple options, including connection to the existing wastewater force main that currently extends through the site. Due to the existing force main being a dedicated transmission line, and the possible adverse impact of overburdening the system with additional flows from grinder pump systems, this option was determined by the City not to be in its best interest.

KCE also coordinated with the Client, Owner of the overall tract, and City Staff regarding the possibility of constructing a gravity wastewater line from the site to the existing lift station location adjacent to the intersection of U.S. Highway No. 281 and Delaware Creek. This option was determined not to be viable for numerous reasons, including being unable to establish a reasonable alignment due to unknown future development conditions for the remainder of the overall tract, as well as a substantial construction cost.

Based on the above information and the inability to currently provide public wastewater service to the site, KCE respectfully requests that the site be granted a variance to allow for the use of an OSSF system.

If you have any questions, or require additional information, please feel free to contact me via phone at (830) 693-5635 or via email at starym@kcengineering.com. Thank you for your consideration of this variance request.



Sincerely,
K.C. Engineering, Inc.
Firm Registration #: F-000977

By:

D. Martin Stary
D. Martin Stary, P. E.
Senior Engineer



Administration

ITEM 5.8

David Vaughn
City Manager
(512)-715-3208
dvaughn@cityofburnet.com

Agenda Item Brief

Meeting Date:	June 11, 2019
Agenda Item:	Discuss and consider action: Request by Langley Homes for incentives or fee waivers related to a potential development on Westfall Street: D. Vaughn
Background:	
Information:	Due to the success of the Cottages of Westfall, Langley Homes is considering an additional development on the east side of Westfall Street. They have requested to meet with the Council to discuss possible incentives and fee waivers for the development.
Fiscal Impact:	To be determined.
Recommendation:	To be determined.

**Addendum to City Council Agenda
Department and Committee Reports/Briefings**

The items listed below include subjects that are of interest to the City Council. The Council may or may not receive a briefing dependent upon activity or change in status regarding the matter. This listing is provided to give notice to the public that a briefing to the Council on any or all subjects may occur.

A. Administrative Services

1. Economic Development Corporation
2. Burnet Municipal Airport
3. Commemorative Air Force/Museum
4. Special Projects

B. Department of Finance

1. Utilities
2. Human Resources
3. Budget and Finance Reports

C. Municipal Court

1. Quarterly Reports

D. City Secretary

- | | |
|---------------------------|-------------------------------------|
| 1. Records Management | 4. Special Projects or Activities |
| 2. Elections | 5. Interlocal Agreements and Leases |
| 3. Boards and Commissions | 6. Administration |

E. Police Department

- | | |
|-------------------|----------------------------|
| 1. Animal Control | 2. School Resource Officer |
| 3. Reports | |

F. Fire Department

- | | |
|-------------------------------|-------------------------|
| 1. Emergency Medical Services | 2. Emergency Management |
| 3. Administration | |

G. Public Works

- | | |
|--------------------------------|---------------------------|
| 1. Electric Department | 4. Street Department/Shop |
| 2. Water/Wastewater Department | |
| 3. Parks/Maintenance | |

H. Delaware Springs Golf Course

I. Development Services

- | | |
|---------------------|-------------------------------------|
| 1. Code Enforcement | 5. Planning and Zoning |
| 2. Cemetery | 6. Board of Adjustments |
| 3. Floodplain | 7. Building Inspection & Permitting |