

**ORDINANCE NO. 2019-12**

**AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 TO REZONE APPROXIMATELY 4.010 ACRES, LEGALLY DESCRIBED AS LOT 4-D OUT OF THE ADMINISTRATIVE REPLAT OF LOT 4, ALGERITA HEIGHTS, PHASE ONE, FROM ITS PRESENT DESIGNATION OF MEDIUM COMMERCIAL – DISTRICT “C-2” TO A DESIGNATION OF HEAVY COMMERCIAL – DISTRICT “C-3,” SAID PROPERTY BEING GENERALLY LOCATED ON THE SOUTHWEST CORNER OF EAST POLK STREET (STATE HWY. 29) AND ALGERITA HILL; 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 April 8, 2019, did conduct a public hearing for the purpose of taking public comment regarding the proposal to assign Heavy Commercial — District “C-3” to approximately 4.010 acres, legally described as Lot 4-D out of the Administrative Replat of Lot 4, Algerita Heights, Phase One, said tract being generally located on the southwest corner of East Polk Street (State Hwy. 29) and Algerita Hill; and

**WHEREAS**, The City Council of the City of Burnet, on April 9, 2019 did conduct its own public hearing for the purpose of taking public comment the proposal to assign Heavy Commercial — District “C-3” to approximately 4.010 acres, legally described as Lot 4-D out of the Administrative Replat of Lot 4, Algerita Heights, Phase One, said tract being generally located on the southwest corner of East Polk Street (State Hwy. 29) and Algerita Hill; and

**WHEREAS**, The City Council, based on due consideration of the Planning and Zoning Commission recommendation, and its own findings, did determine that assigning Heavy Commercial — District “C-3” to approximately 4.010 acres, legally described as Lot 4-D out of the Administrative Replat of Lot 4, Algerita Heights, Phase One, said tract being generally located on the southwest corner of East Polk Street (State Hwy. 29) and Algerita Hill 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 4.010 acres, legally described as Lot 4-D out of the Administrative Replat of Lot 4, Algerita Heights, Phase One, said tract being generally located on the southwest corner of East Polk Street (State Hwy. 29) and

Algerita Hill is hereby assigned a zoning designation of Heavy Commercial — District “C-3”.

**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.

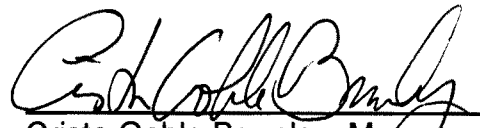
**Section 5. Effective Date.** This ordinance is effective upon final passage and approval.

**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 9<sup>th</sup> day of April, 2019.

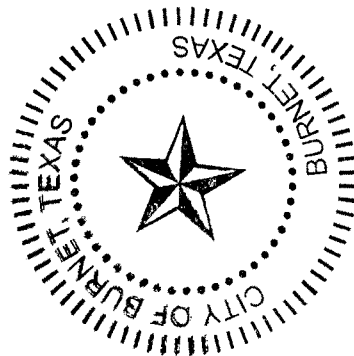
**FINALLY PASSED AND APPROVED** on this 23<sup>rd</sup> day of April, 2019.

**CITY OF BURNET, TEXAS**

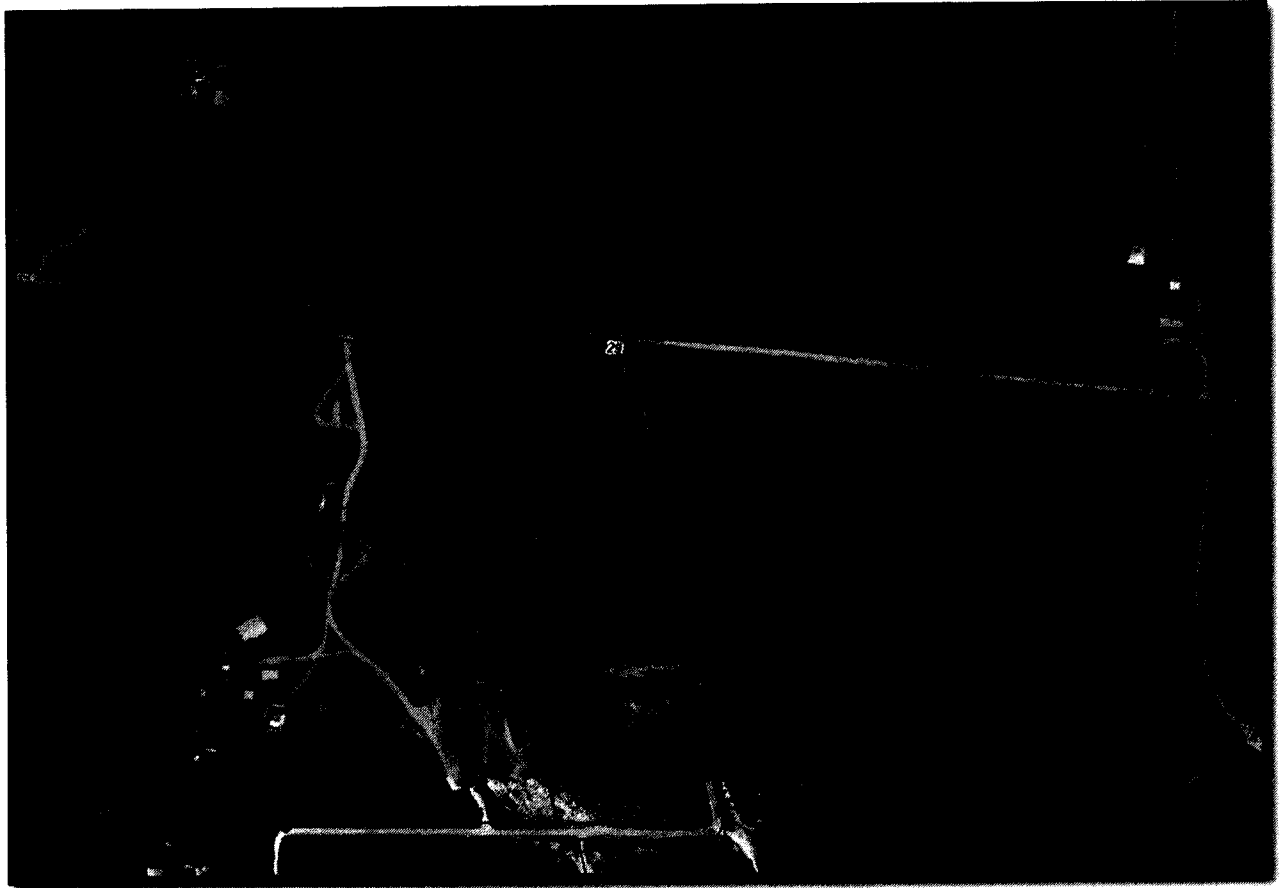
  
Crista Goble Bromley, Mayor

**ATTEST:**

  
Kelly Dix, City Secretary



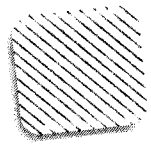
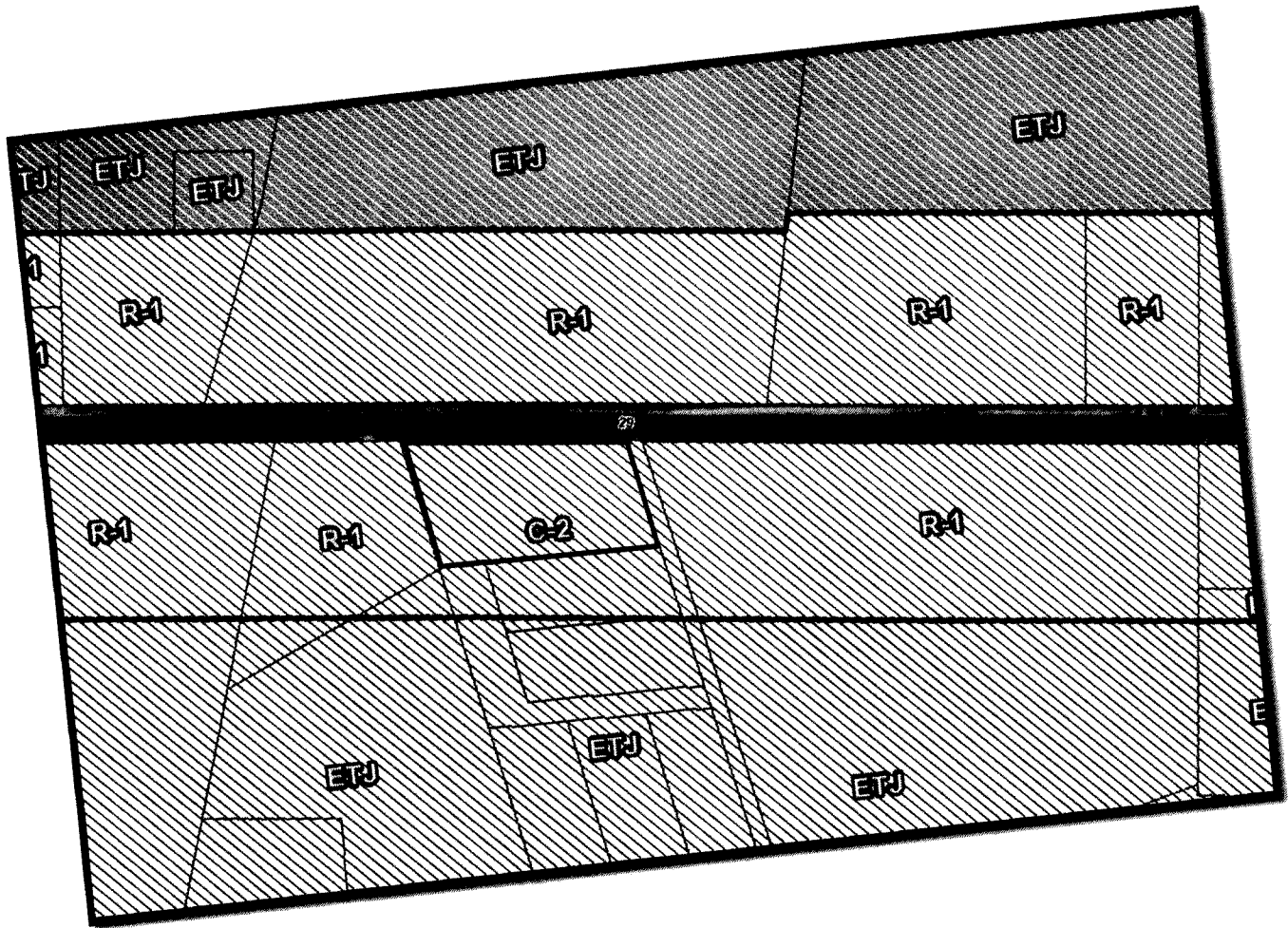
**Exhibit "A"**  
**Location Map**



**Exhibit "B"**  
**Zoning Map**



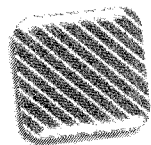
Exhibit "C"  
Future Land Use Map (FLUM)



Commercial



Residential



Industrial