



## PLANNING & ZONING COMMISSION MINUTES

Notice is hereby given that the **Public Hearing and Special Meeting of the Planning and Zoning Commission** of the City of Burnet, Texas will be held on Monday, **December 7, 2020**, at **6:00 p.m.**, in the City Council Chambers, Burnet Municipal Airport, 2402 S. Water, Burnet, TX. In order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") to slow the spread of the Coronavirus (COVID-19), a Declaration of a Public Health Emergency was executed by Mayor Bromley on March 19, 2020. The Council Chambers will be closed to public attendance. A Zoom Webinar with toll free conference call capability has been established for access. The following subjects will be discussed, to-wit:

### 1. CALL TO ORDER:

The meeting was called to order at 6:00 p.m. by Chairman Gaut.

### 2. ROLL CALL:

Members Present: Tommy Gaut, Derek Fortin, Jennifer Wind, Ricky Langley and Calib Williams

Members Absent: Cesar Arreaza

Guests: Milton Phair, Eric Wind

Others Present: Jason Lutz, Director of Development Services  
Leslie Kimbler, Development Services Admin.Tech.

### 3. CONSENT AGENDA:

3.1) Minutes of the regular meeting of the Planning and Zoning Commission of the City of Burnet, Texas held on October 26, 2020.

A motion to approve the consent agenda was made by Commissioner Fortin. The motion was seconded by Commissioner Langley and carried by a vote of 5 to 0.

### 4. PUBLIC HEARINGS:

4.1) The Planning & Zoning Commission shall conduct a public hearing to receive public testimony and comments on the merits of a proposed "Preliminary Plat" for approximately 25.954 acres out of the Eugenio Perez Survey, No. 41, Abstract No. 672, The Susano Hernandez Survey No. 40, Abstract 398 and Washington Anderson Survey 10, abstract 29, and located approximately 830 feet west of the intersection of US Hwy 281 and Delaware Springs Blvd. The proposed "Preliminary Plat" will establish Section 24 of the Delaware Springs Subdivision, consisting of approximately 51 residential lots: J. Lutz

Jason Lutz, Director of Development Services, presented staff's report regarding the proposed "Preliminary Plat" will establish Section 24 of the Delaware Springs Subdivision, consisting of approximately 51 residential lots.

Chairman Gaut then opened the floor for public comment.

Guest, Milton Phair, asked questions in regards to Lot #1, whether the houses would be garden homes and spoke on the exit street onto Delaware Springs. Director of Development Services, Jason Lutz, was able to address Mr. Phair's questions. Mr. Phair did not speak as to whether he was for or against the "Preliminary Plat".

There being no further public comment, Chairman Gaut closed the public hearing.

- 4.2) The Planning & Zoning Commission shall conduct a public hearing to receive public testimony and comments on the merits of a proposed amendment to the City's Code of Ordinances Chapter 118 (entitled "Zoning") Section 118-64 (entitled "Conditional Use Permit"). The proposed amendment would expand City Council's authority to grant conditional use permits in all commercial and industrial districts and provide a criteria for granting a conditions use permit: J. Lutz

Jason Lutz, Director of Development Services, presented staff's report regarding the proposed amendment to the City's Code of Ordinances Chapter 118 (entitled "Zoning") Section 118-64 (entitled "Conditional Use Permit").

Chairman Gaut then opened the floor for public comment.

There being no further public comment, Chairman Gaut closed the public hearing.

## **5. ACTION ITEMS:**

- 5.1) The Planning & Zoning Commission will discuss and consider action regarding a proposed "Preliminary Plat" for approximately 25.954 acres out of the Eugenio Perez Survey, No. 41, Abstract No. 672, The Susano Hernandez Survey No. 40, Abstract 398 and Washington Anderson Survey 10, abstract 29, and located approximately 830 feet west of the intersection of US Hwy 281 and Delaware Springs Blvd. The proposed "Preliminary Plat" will establish Section 24 of the Delaware Springs Subdivision, consisting of approximately 51 residential lots: J. Lutz

Commissioner Langley made a motion to approve the proposed "Preliminary Plat" will establish Section 24 of the Delaware Springs Subdivision, consisting of approximately 51 residential lots. The motion was seconded by Commissioner Wind, and carried by a vote of 5 to 0.

- 5.2) The Planning & Zoning Commission shall discuss and consider action regarding a proposed amendment to the City's Code of Ordinances Chapter 118 (entitled "Zoning") Section 118-64 (entitled "Conditional Use Permit"). The proposed amendment would expand City Council's authority to grant conditional use permits in all commercial and industrial districts and provide a criteria for granting a conditions use permit: J. Lutz

Commissioner Langley made a motion to approve the proposed amendment to the City's Code of Ordinances Chapter 118 (entitled "Zoning") Section 118-64 (entitled "Conditional Use Permit") with the correction to Section #5. The motion was seconded by Commissioner Williams, and carried by a vote of 5 to 0.

- 5.3) The Planning & Zoning Commission shall discuss and consider action regarding proposed regulations governing the use and operation of Mobile Food Establishments and providing feedback and direction to City staff regarding the proposed regulations: J. Lutz

Prior to the meeting, Commissioner Wind signed an affidavit and recused herself for the discussion and left the meeting during this time.

Director of Development Services, Jason Lutz, presented a mock ordinance for the use and operation of Mobile Food Establishments to the commission. Commission to agree to approve staff moving forward with the drafting of such ordinance. No formal action was taken on this item.

#### **STAFF REPORTS:**

- 6.1.A) Discussion regarding the January 4, 2020 regular meeting.

All members present did not express any issues with meeting on January 4<sup>th</sup>.

#### **7. REQUESTS FOR FUTURE AGENDA ITEMS: N/A**

#### **8. ADJOURN:**

Commissioner Fortin made a motion to adjourn the meeting; Commissioner Langley seconded, and the motion carried by a vote of 5 to 0.

There being no further business, Chairperson, Tommy Gaut adjourned the meeting at 7:28 p.m.



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Tommy Gaut, Chair  
City of Burnet Planning and Zoning Commission

**Attest:** 

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Herve Derek Fortin, Secretary