



NOTICE OF MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF BURNET, TEXAS

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

Notice is hereby given that the **Public Hearing and Regular Meeting of the Planning and Zoning Commission** of the City of Burnet, Texas will be held on Monday **June 1, 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 as follows:

Computer: Please click the link below to join the webinar:

<https://us02web.zoom.us/j/81441052841?pwd=c1haTFczd0pTT1pRbjFCdTFEelRhcz09>

OR: Go to: www.zoom.us

Enter Webinar ID when prompted: **814 4105 2841 #**

Enter Password when prompted: **123720#**

If you would like to address the Commission with a Public Comment while logged-in online, please use the “raise your hand” feature.

By Telephone Call: 888-475-4499 or 877-853-5257 (Toll Free Numbers)

Enter Webinar ID when prompted: **814 4105 2841 #**

Enter Password when prompted: **123720#**

If you would like to address the Commission with a Public Comment while dialed in via telephone, please use the “raise your hand” feature, by pressing *9 while on the phone.

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

The following subjects will be discussed, to-wit:

1. CALL TO ORDER:

2. ROLL CALL:

- 3. CONSENT AGENDA ITEMS:** All of the following items on the Consent Agenda are considered to be self-explanatory by the Commission and will be enacted with one motion. There will be no separate discussion of these items unless a Commission member, staff member or citizen requests removal of the item from the consent agenda for the purpose of discussion. For removal of an item, a request must be made to the Commission when the Consent Agenda is opened for Commission action.

- 3.1) Minutes of the regular meeting of the Planning and Zoning Commission of the City of Burnet, Texas held on May 4, 2020.

4. PUBLIC HEARINGS:

- 4.1) The Planning & Zoning Commission of the City of Burnet, Texas will conduct a public hearing regarding the Final Plat of Westfall Village, a 51-lot single-family residential subdivision to be generally located in the southeastern quadrant of the intersection of Elm and Westfall Streets.
- 4.2) The Planning & Zoning Commission of the City of Burnet, Texas will conduct a public hearing regarding a Final Plat of the Hills of Shady Grove, Section Seven, which is a 13-lot, single-family subdivision, further being described as 4.42 acres located adjacent to the 300-400 blocks of Shady Grove Parkway.

5. ACTION ITEMS:

- 5.1) The Planning & Zoning Commission of the City of Burnet, Texas will discuss and consider action regarding the Final Plat of Westfall Village, a 51-lot single-family residential subdivision to be generally located in the southeastern quadrant of the intersection of Elm and Westfall Streets.
- 5.2) The Planning & Zoning Commission of the City of Burnet, Texas will discuss and consider action regarding a Final Plat of the Hills of Shady Grove, Section Seven, which is a 13-lot, single-family subdivision, further being described as 4.42 acres located adjacent to the 300-400 blocks of Shady Grove Parkway.

6. STAFF REPORTS.

- 6.1) Addendum to the Planning & Zoning Agenda: Department and Committee Reports/Briefings: The Planning & Zoning Commission 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 Commission on any or all subjects may occur.

7. REQUESTS FOR FUTURE AGENDA ITEMS

8. ADJOURN

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Planning and Zoning Commission of the City of 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 May 28, 2020 at or before 5 o'clock p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Dated this the 28th day of May, 2020

Kelly Dix, City Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:

The City Council Chambers are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to the meeting. Please contact the Development Services Department at (512) 715-3206, FAX (512) 756-8560 or e-mail at jlutz@cityofburnet.com for information or assistance.



PLANNING & ZONING COMMISSION MINUTES

On this the 2nd day of March, 2020, the Planning and Zoning Commission of the City of Burnet, convened in Regular Session at 6:00 p.m. at the regular meeting place. 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 6:04 p.m. by Chairman Gaut.

2. ROLL CALL:

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

Members Absent:

Guests: Louise Lary

Others Present: Jason Lutz, Director of Development Services
Kelly Dix, City Secretary
Habib Erkan, Jr., Asst. City Manager
Leslie Kimbler, Development Services Admin.Tech.

3. CONSENT AGENDA:

3.1) Minutes of the meeting held March 2, 2020 Regular Planning and Zoning Commission Meeting.

A motion to approve the consent agenda with correction was made by Commissioner Arreaza. The motion was seconded by Commissioner Fortin and carried by a vote of 6 to 0.

4. PUBLIC HEARINGS:

4.1) The Planning & Zoning Commission of the City of Burnet, Texas will hold a public hearing on the following proposed amendments to the City of Burnet Code of Ordinances Chapter 118 – “Zoning:”

Section 118-20, Chart 1 for the purpose of revising minimum front yard setbacks, minimum side yard setbacks, and minimum street side yard setbacks for the Light Commercial (C-1), Medium Commercial (C-2), and Heavy Commercial (C-3 zoning districts.

Jason Lutz, Director of Development Services, presented staff's report on the proposed amendments to the City of Burnet Code of Ordinances Chapter 118 – "Zoning" Section 118-20, Chart 1 for the purpose of revising minimum front yard setbacks.

Chairman Gaut then opened the floor for public comment.

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

- 4.2) The Planning & Zoning Commission of the City of Burnet, Texas will hold a public hearing on a request to rezone property located at the northeast intersection of N. Vanderveer St. and E. Post Oak Street, which is further described as lots 3-A and 3-B, Block 24, of the Peter Kerr Portion. The request is to rezone the property from its present designation of Single Family Residential – District (R-1) to a designation of Townhomes — District (R-2A).

Jason Lutz, Director of Development Services, presented staff's report on the request to rezone property located at the northeast intersection of N. Vanderveer St. and E. Post Oak Street from its present designation of Single Family Residential – District (R-1) to a designation of Townhomes — District (R-2A).

Chairman Gaut then opened the floor for public comment.

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

- 4.3) The Planning & Zoning Commission of the City of Burnet, Texas will hold a public hearing on requested variances for the Wandering Oaks Subdivision located of County Road 100 in Oak Vista Subdivision (Legal Description: Lot numbers 80-83, 95-99, and lot 130). The requested variances are as follows:

1. Chapter 98 – Subdivisions, Sec. 98-42 Transportation Improvements, requiring all streets to be designed and constructed according to the City's TCSS, in order to allow chip seal paving.
2. Chapter 98 – Subdivisions, Sec. 98-42 Transportation Improvements, requiring curbs to be installed on both sides of all interior streets.
3. Chapter 98 – Subdivisions, Sec. 98-42 Street Lighting, required to be installed in the subdivision.

Jason Lutz, Director of Development Services, presented staff's report on the requested variances for the Wandering Oaks Subdivision located of County Road 100 in Oak Vista Subdivision.

Chairman Gaut then opened the floor for public comment.

Property owner, Louise Lary, spoke in favor of the requested variance.

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

5. ACTION ITEMS:

- 5.1) The Planning & Zoning Commission of the City of Burnet, Texas will discuss and consider action on the following proposed amendments to the City of Burnet Code of Ordinances Chapter 118 – “Zoning:”

Section 118-20, Chart 1 for the purpose of revising minimum front yard setbacks, minimum side yard setbacks, and minimum street side yard setbacks for the Light Commercial (C-1), Medium Commercial (C-2), and Heavy Commercial (C-3 zoning districts.

Commissioner Langley made a motion to approve the proposed amendments to the City of Burnet Code of Ordinances Chapter 118 – “Zoning” Section 118-20, Chart 1 for the purpose of revising minimum front yard setbacks. The motion was seconded by Commissioner Williams, and carried by a vote of 4 to 2 with Commissioners Gaut, Langley, Fortin and Williams voting in favor and Commissioners Wind and Arreaza voting against.

- 5.2) The Planning & Zoning Commission of the City of Burnet, Texas will discuss and consider action on a request to rezone property located at the northeast intersection of N. Vanderveer St. and E. Post Oak Street, which is further described as lots 3-A and 3-B, Block 24, of the Peter Kerr Portion. The request is to rezone the property from its present designation of Single Family Residential – District (R-1) to a designation of Townhomes — District (R-2A).

Commissioner Williams made a motion to approve the request to rezone property located at the northeast intersection of N. Vanderveer St. and E. Post Oak Street from its present designation of Single Family Residential – District (R-1) to a designation of Townhomes — District (R-2A). The motion was seconded by Commissioner Langley, and carried by a vote of 6 to 0.

- 5.3) The Planning & Zoning Commission of the City of Burnet, Texas will discuss and consider action on requested variances for the Wandering Oaks Subdivision located of County Road 100 in Oak Vista Subdivision (Legal Description: Lot numbers 80-83, 95-99, and lot 130). The requested variances are as follows:

1. Chapter 98 – Subdivisions, Sec. 98-42 Transportation Improvements, requiring all streets to be designed and constructed according to the City’s TCSS, in order to allow chip seal paving.
2. Chapter 98 – Subdivisions, Sec. 98-42 Transportation Improvements, requiring curbs to be installed on both sides of all interior streets.

3. Chapter 98 – Subdivisions, Sec. 98-42 Street Lighting, required to be installed in the subdivision.

Commissioner Langley made a motion to approve the variance request to Chapter 98 – Subdivisions, Sec. 98-42 Transportation Improvements, requiring all streets to be designed and constructed according to the City's TCSS, in order to allow chip seal paving with staff's conditions. The motion was seconded by Commissioner Fortin, and carried by a vote of 6 to 0.

Commissioner Wind made a motion to approve the variance request to Chapter 98 – Subdivisions, Sec. 98-42 Transportation Improvements, requiring curbs to be installed on both sides of all interior streets with staff's conditions. The motion was seconded by Commissioner Langley, and carried by a vote of 6 to 0.

Commissioner Williams made a motion to approve the variance request to Chapter 98 – Subdivisions, Sec. 98-42 Street Lighting, required to be installed in the subdivision.. The motion was seconded by Commissioner Arreaza, and carried by a vote of 6 to 0.

6. **STAFF REPORTS:** Director of Development Services, Jason Lutz, did speak to the Commission about the recent House Bill 3167 and the need to schedule Planning and Zoning meetings on a bi-monthly basis in order to meet the new requirements.

7. **REQUESTS FOR FUTURE AGENDA ITEMS:**

Commissioner Wind requested present the Commission with the requirements for sidewalks.

8. **ADJOURN:**

Commissioner Langley made a motion to adjourn the meeting; Commissioner Fortin seconded, and the motion carried by a vote of 6 to 0.

There being no further business, Chairperson, Tommy Gaut adjourned the meeting at 7:16 p.m.

Tommy Gaut, Chair
City of Burnet Planning and Zoning Commission

Attest: _____
Herve Derek Fortin, Secretary



Planning & Zoning Commission

ITEM 4.1

Jason Lutz
Development Services
(512) 715-3215
jlutz@cityofburnet.com

Agenda Item Brief

Meeting Date: June 1, 2020

Agenda Item: The Planning & Zoning Commission of the City of Burnet, Texas will conduct a public hearing regarding the Final Plat of Westfall Village, Phase I, part of a 51-lot single-family residential subdivision to be generally located in the southeastern quadrant of the intersection of Elm and Westfall Streets.

Background: The Westfall Village will consist of 50-single-family residential lots plus one lot dedicated to stormwater management. The subdivision will contain two internal streets, Elmer Avenue and Mike Warner Rd.

The applicant is looking to Final Plat Phase I only, at this time. Phase I consists of 22 lots (1 detention lot and 21 single-family residential lots).

The preliminary plat was approved by P&Z and City Council in December 2019.

Information: The Westfall Village Final Plat has been reviewed using Code of Ordinances Section 98-24 (Final Plats) as a guide. It has been found to comply with ordinance requirements relating to form and content.

Staff Analysis: The Final Plat does meet the requirements of the ordinance, but some outstanding items must be cleared prior to the signing and recordation of the final plat. A list of outstanding documents & items remaining are as follows:

1. "As-builts" shall be submitted for review and approval to the City. either in an electronic format acceptable to the city or, if previously approved by city staff, on paper and shall show all infrastructure constructed.
2. Performance and Maintenance guarantees for all required improvements shall be provided and accepted by Council.
3. Applicable fees pursuant to city ordinance shall be paid.
4. A complete and accurate representation of the subdivision shall also be submitted in AutoCAD (.dwg) digital format.
5. The title and corresponding plat language need to be modified to "Final Plat of Westfall Subdivision, Phase I".

6. Add the following Plat Note: "Water / Wastewater Impact Fees
The City of Burnet has an ordinance implementing the assessment and collection of water and wastewater impact fees. The total amount assessed is established on the recordation date of this plat, based upon the impact fee ordinance in effect as of that date. The amount to be collected is determined as provided said ordinance and becomes effective, and due, on the date a building permit is issued, or on the connection date to the municipal water and/or wastewater system."
7. A temporary fire turn around must be constructed and maintained (at the end of Elmer Ave.) until such time as the street is completed and connected to Elm Street or Mike Warner Rd. This will prevent lot 12 from being developed until that time.

Recommendation: Staff recommends approval of the Final Plat with the condition that all outstanding documents & items, listed above, be provided to the City prior to recordation of the Final Plat.

Exhibit "A"
Location Map

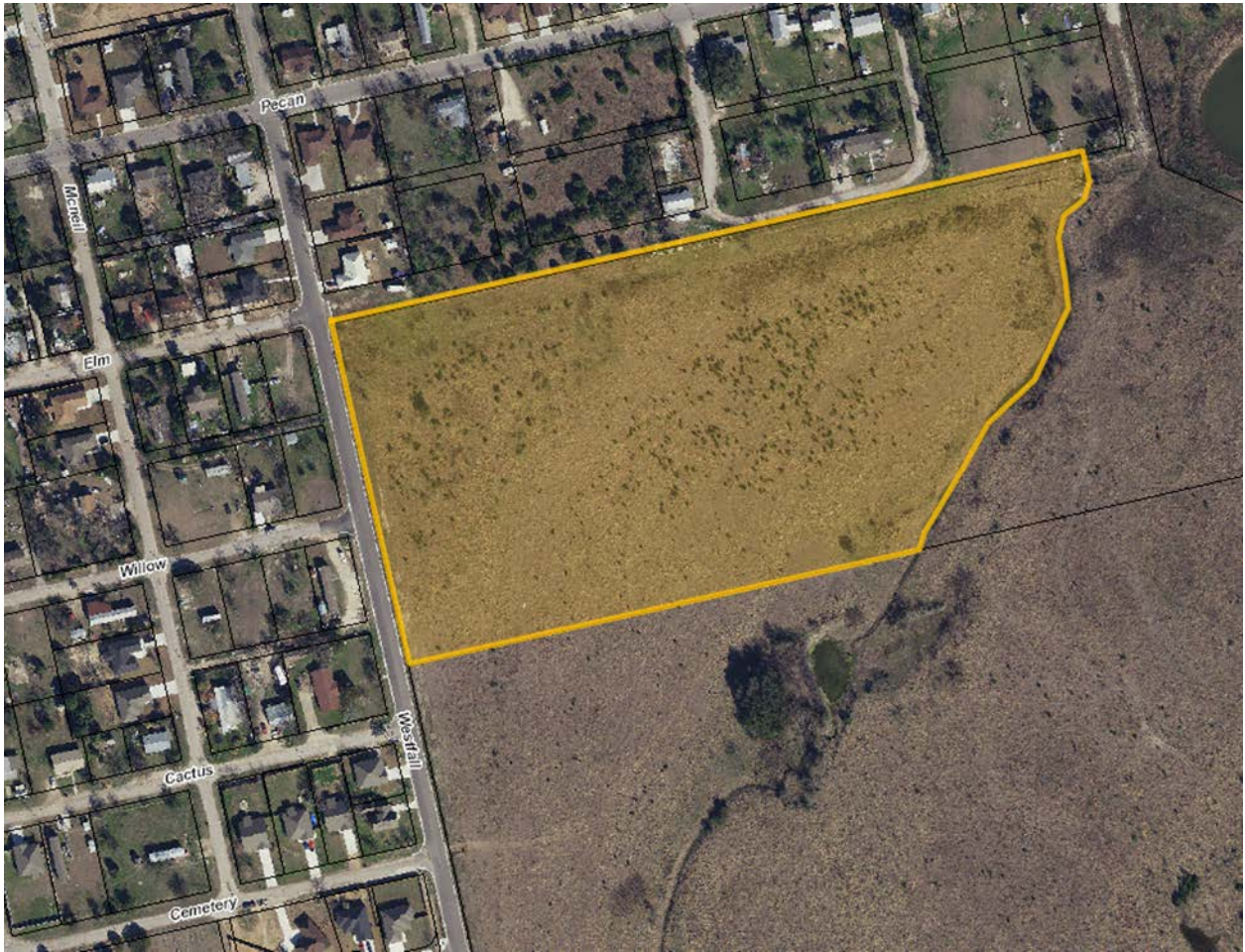
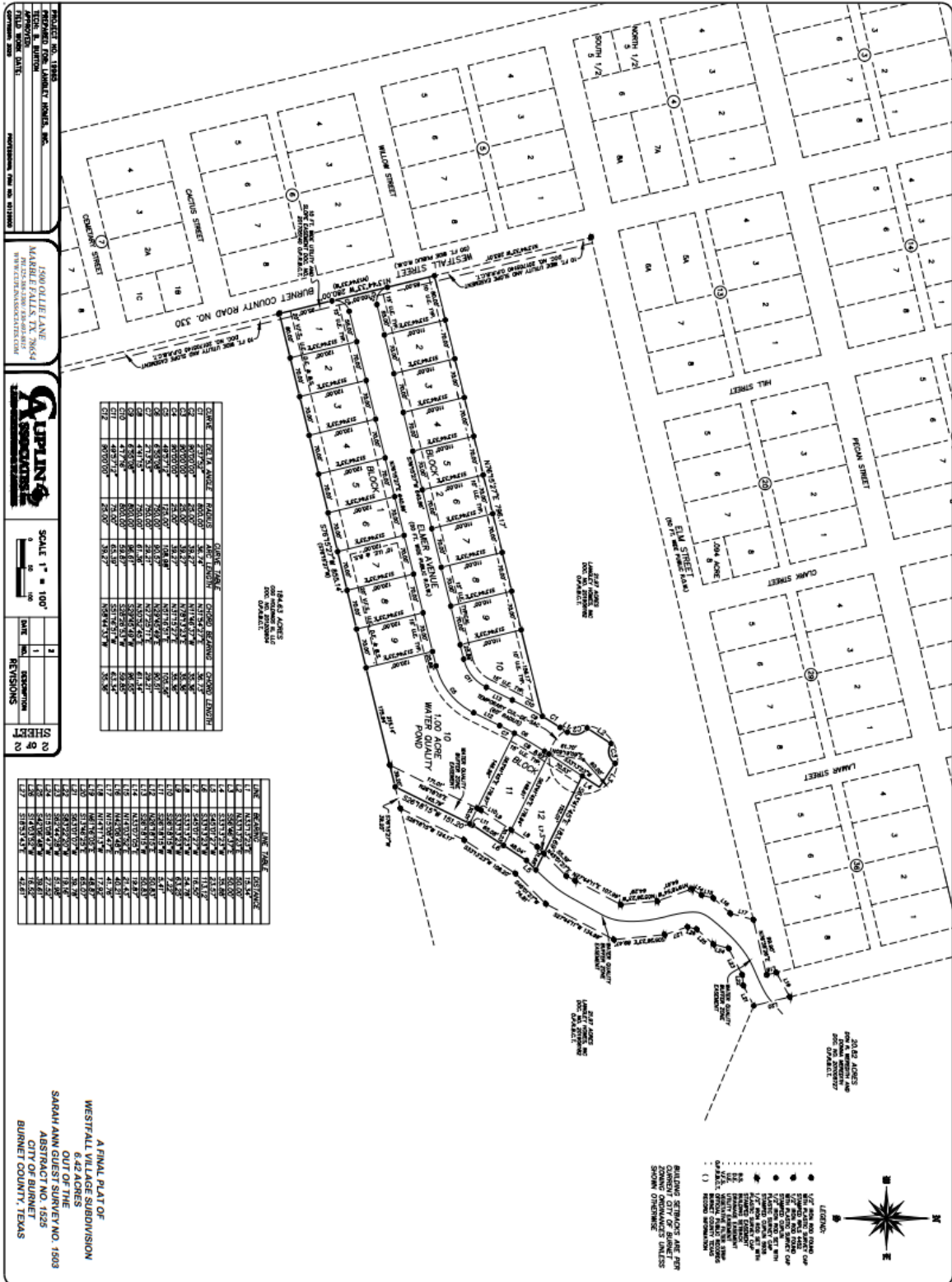


Exhibit "B"
Final Plat





Planning & Zoning Commission

ITEM 4.2

Jason Lutz
Development Services
(512) 715-3215
jlutz@cityofburnet.com

Agenda Item Brief

Meeting Date: June 1, 2020

Agenda Item: The Planning & Zoning Commission of the City of Burnet, Texas will conduct a public hearing regarding a Final Plat of the Hills of Shady Grove, Section Seven, which is a 13-lot, single-family subdivision, further being described as 4.42 acres located adjacent to the 300-400 blocks of Shady Grove Parkway.

Background: The Hills of Shady Grove, Sec. VII is bounded to the north, east and south by The Hills of Shady Grove Subdivision and to the west by the Pepper Mill Subdivision. Shady Grove Sec. VII, Final Plat is approximately 4.42 acres and consist of 13 single-family lots. The preliminary plat was approved by P&Z and City Council in September of 2018.

Information: The Shay Grove Sec. VII Final Plat has been reviewed using Code of Ordinances Section 98-24 (Final Plats) as a guide. It has been found to comply with ordinance requirements relating to form and content.

Staff Analysis: The Final Plat does meet the requirements of the ordinance, but some outstanding items must be cleared prior to the signing and recordation of the final plat. A list of outstanding documents & items remaining are as follows:

1. "As-builts" shall be submitted for review and approval to the City. either in an electronic format acceptable to the city or, if previously approved by city staff, on paper and shall show all infrastructure constructed.
2. Park land fees as required by this chapter, if applicable, shall have been paid.
 - **Parkland Fees are \$3,250 for this project.**
3. Maintenance guarantees for all required improvements shall be provided and accepted by Council.
4. Applicable fees pursuant to city ordinance shall be paid.
5. A complete and accurate representation of the subdivision shall also be submitted in AutoCAD (.dwg) digital format.

Recommendation: Staff recommends approval of the Final Plat with the condition that all outstanding documents & items, listed above, be provided to the City prior to recordation of the Final Plat.

Exhibit "A"
Location Map

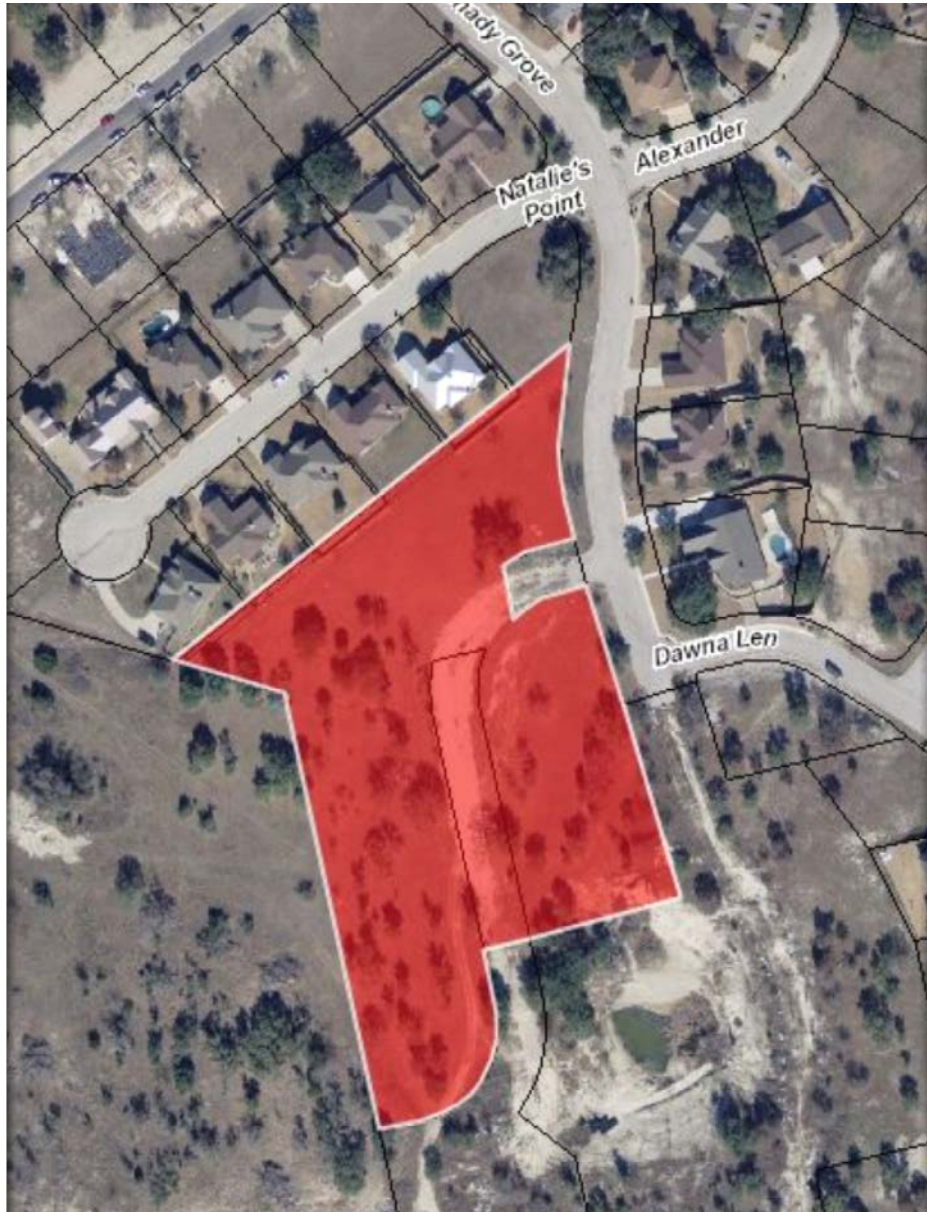


Exhibit “B” Final Plat

