



## 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 7, 2021**, at **6:00 p.m.** at the City of Burnet's Council Chambers located at 2402 S Water St., Burnet, Texas 78611 at which time the following subjects will be discussed, to-wit:

**1. CALL TO ORDER:**

**2. ROLL CALL:**

**3. ELECTION OF OFFICERS:**

- 3.1) The Planning and Zoning Commission of the City of Burnet will elect officers from among its members.

**4. 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.

- 4.1) Minutes of the meeting of the Planning and Zoning Commission of the City of Burnet, Texas held on May 3, 2021.

**5. PUBLIC HEARINGS:**

- 5.1) The Planning and Zoning Commission will conduct a public hearing to receive public testimony and comments on the merits of a request to rezone property located at 608 Buchanan Dr. (Legal Description: Lot No. Nine-B (9-B), a Short Form Replat of Lot 9B, 9C & 9D, being a Replat of Lot 9A, Hamilton Creek Addition). The request is to rezone the property from its present designation of Light Commercial – District "C-1" to a designation of Medium Commercial – District "C-2": L. Kimbler

- 5.2) The Planning and Zoning Commission will conduct a public hearing to receive public testimony and comments on the merits of a proposed "Final Plat" for Westfall Village Subdivision, Phase Two, consisting of approximately 7.61 acres: L. Kimbler

**6. ACTION ITEMS:**

- 6.1) The Planning & Zoning Commission will discuss and consider a request to rezone property located at 608 Buchanan Dr. (Legal Description: Lot No. Nine-B (9-B), a Short Form Replat of Lot 9B, 9C & 9D, being a Replat of Lot 9A, Hamilton Creek Addition). The request is to rezone the property from its present designation of Light Commercial – District “C-1” to a designation of Medium Commercial – District “C-2”: L Kimbler
- 6.2) The Planning & Zoning Commission will discuss and consider a proposed “Final Plat” for Westfall Village Subdivision, Phase Two, consisting of approximately 7.61 acres: L. Kimbler

**7. STAFF REPORTS**

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

**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 June 4, 2021 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 1st day of June, 2021**

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Kelly Dix, City Secretary

**NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:**

The City of Burnet Community Center is 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 [herkan@cityofburnet.com](mailto:herkan@cityofburnet.com) for information or assistance.



## Development Services

### ITEM 3.1

Leslie Kimbler  
Planner I  
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### Agenda Item Brief

**Meeting Date:** June 7, 2021

**Agenda Item:** The Planning and Zoning Commission of the City of Burnet will elect officers from among its members.

**Background:** The Planning and Zoning Commission will choose three officers from among its members. The Commission's current officers are:

Chair	Tommy Gaut
Vice-Chair	Vacant
Secretary	Herve Derek Fortin

Duties of the Commission officers are as follow:

- Chair:
  - Serve as the Planning and Zoning Commission's presiding officer
  - Conduct Planning and Zoning Commission public hearings and regular meetings
  - Sign plats and other official documents pertaining to actions of the Commission
- Vice-Chair:
  - Serve as presiding officer during the absence of the Chair.
- Secretary:
  - Witness minutes, and as needed, other official documents of the Commission.
  - Serve as presiding officer in the absence of the Chair and Vice-Chair.

**Information:** Candidates for officer are selected by the nomination and second of fellow Commission members. All members are eligible to stand for any of the officer positions. Present officers are eligible for nomination and reelection to their present position, or any other of the Commission's officer positions.

**Recommendation:** Nominate and elect a Planning and Zoning Commission Chair, Vice-Chair, and Secretary



## PLANNING & ZONING COMMISSION MINUTES

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, **May 3, 2021**, at **6:00 p.m.** at the City of Burnet's Community Center located at 401 E Jackson Street, Burnet, Texas 78611 at which time the following subjects will be discussed, to-wit:

### 1. CALL TO ORDER:

The meeting was called to order at 6:01 p.m. by Chairman Gaut.

### 2. ROLL CALL:

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

Members Absent: Cesar Arreaza and Jennifer Wind

Guests: Joe Bolin

Others Present: Habib Erkan, Jr., Assist. City Manager  
Leslie Kimbler, Interim Planner I

### 3. CONSENT AGENDA:

- 3.1) Minutes of the regular meeting of the Planning and Zoning Commission of the City of Burnet, Texas held on April 5, 2021.

A motion to approve the corrected consent agenda was made by Commissioner Fortin. The motion was seconded by Commissioner Gaut and carried by a vote of 4 to 0.

### 4. PUBLIC HEARINGS:

- 4.1) The Planning and Zoning Commission will conduct a public hearing to receive public testimony and comments on the merits of a request to rezone property located at 2551 W Hwy 29 (Legal Description: ABS A0405 John Hamilton, Tract 26, 4.0805 acres). The request is to rezone the property from its present designation of Medium Commercial – District "C-2" to a designation of Heavy Commercial – District "C-3": L. Kimbler

Leslie Kimbler, Interim Planner I, presented staff's report regarding the request to rezone property located at 2551 W Hwy 29 from its present designation of Duplex – District "R-2" to a designation of Medium Commercial – District "C-2" to a designation of Heavy Commercial – District "C-3".

Chairman Gaut then opened the floor for public comment.  
There being public comment, Chairman Gaut closed the public hearing.

- 4.2) The Planning and Zoning Commission will conduct a public hearing to receive public testimony and comments on the merits of a city-initiated request to rezone property located 1801 E Polk St (Legal Description: ABS A1525 SARA ANN GUEST, 5.778 acre tract). The request is to rezone the property from its present designation of Single-family Residential – District “R-1” to a designation of Medium Commercial – District “C-2”: L. Kimbler

Leslie Kimbler, Interim Planner I, presented staff’s report regarding the city-initiated request to rezone property located 1801 E Polk St from its present designation of Single-family Residential – District “R-1” to a designation of Medium Commercial – District “C-2”

Chairman Gaut then opened the floor for public comment.

Property Owner, Joe Bolin, spoke in favor of the request to rezone.

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

- 4.3) The Planning & Zoning Commission will discuss and consider a proposed Amendment to the Zoning Code, Chapter 118 (Entitled “Zoning”) Section 118-74 (Entitled “Board of Adjustments”): H. Erkan

Habib Erkan, Assist. City Manager, presented staff’s report regarding the proposed Amendment to the Zoning Code.

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 a city-initiated request to rezone property located 1801 E Polk St (Legal Description: ABS A1525 SARA ANN GUEST, 5.778 acre tract). The request is to rezone the property from its present designation of Single-family Residential – District “R-1” to a designation of Medium Commercial – District “C-2”: L. Kimbler

Commissioner Langley made a motion to approve the request to rezone property located at 1801 E Polk St. from its present designation of Single-family Residential – District “R-1” to a designation of Medium Commercial – District “C-2”. The motion was seconded by Commissioner Williams, and carried by a vote of 4 to 0.

- 5.2) The Planning & Zoning Commission will discuss and consider a proposed Amendment to the Zoning Code, Chapter 118 (Entitled “Zoning”) Section 118-74 (Entitled “Board of Adjustments”): H. Erkan

Commissioner Fortin made a motion to approve the application for the proposed Amendment to the Zoning Code, Chapter 118 (Entitled “Zoning”) Section 118-74 (Entitled “Board of Adjustments”). The motion was seconded by Commissioner Langley, and carried by a vote of 4 to 0.

- 5.3) The Planning & Zoning Commission will discuss and consider a proposed Amendment to the Zoning Code for the purpose of authorizing authorizing boat and recreational vehicle sales, service and storage in the Heavy Commercial – District “C-3”: H. Erkan

Commissioner Williams made a motion to approve the proposed Amendment to the Zoning Code for the purpose of authorizing authorizing boat and recreational vehicle sales, service and storage in the Heavy Commercial – District “C-3” . The motion was seconded by Commissioner Gaut, and carried by a vote of 4 to 0.

- 5.4) Discuss and consider action: The Planning & Zoning Commission shall discuss and consider action regarding a request to rezone property located at 2551 W Hwy 29 (Legal Description: ABS A0405 John Hamilton, Tract 26, 4.0805 acres). The request is to rezone the property from its present designation of Medium Commercial – District “C-2” to a designation of Heavy Commercial – District “C-3”: L Kimbler

Commissioner Langley made a motion to table the request to rezone property located at 2551 W Hwy 29 from its present designation of Medium Commercial – District “C-2” to a designation of Heavy Commercial – District “C-3”. The motion was seconded by Commissioner Fortin, and carried by a vote of 4 to 0.

- 5.5) The Planning & Zoning Commission will discuss and consider a proposed Amendment to the Zoning Code, Chapter 118 (Entitled “Zoning”) Section 118-61 (Entitled “Construction Plans”): H. Erkan

Commissioner Fortin made a motion to approve the proposed Amendment to the Zoning Code, Chapter 118 (Entitled “Zoning”) Section 118-61 (Entitled “Construction Plans”). The motion was seconded by Commissioner Williams, and carried by a vote of 4 to 0.

**6. STAFF REPORTS:**

- 6.1) No staff reports

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

**8. ADJOURN:**

There being no further business, Chairperson, Tommy Gaut adjourned the meeting at 6:49 p.m.

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Tommy Gaut, Chair  
City of Burnet Planning and Zoning Commission

**Attest:** \_\_\_\_\_  
Herve Derek Fortin, Secretary



**Development Services**

**ITEM 5.1 & 6.1**

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**Agenda Item Brief**

**Meeting Date:** June 7, 2021

**Public Hearing 5.1:** The Planning and Zoning Commission will conduct a public hearing to receive public testimony and comments on the merits of a request to rezone property located at 608 Buchanan Dr. (Legal Description: Lot No. Nine-B (9-B), a Short Form Replat of Lot 9B, 9C & 9D, being a Replat of Lot 9A, Hamilton Creek Addition). The request is to rezone the property from its present designation of Light Commercial – District “C-1” to a designation of Medium Commercial – District “C-2”: L. Kimbler

**Action Item 6.1:** The Planning & Zoning Commission will discuss and consider a request to rezone property located at 608 Buchanan Dr. (Legal Description: Lot No. Nine-B (9-B), a Short Form Replat of Lot 9B, 9C & 9D, being a Replat of Lot 9A, Hamilton Creek Addition). The request is to rezone the property from its present designation of Light Commercial – District “C-1” to a designation of Medium Commercial – District “C-2”: L. Kimbler

**Background:** The subject property is located on the north side of west Highway 29, also known as Buchanan Drive (Exhibit A). The property was previously known as Lakes Area Pharmacy and is currently zoned as Light Commercial – District “C-1”. The property has not had utility service since January 2020.

**Information:** The applicant is seeking the requested rezone to re-develop the existing building into a multi-suite business with a laundromat. Code of Ordinance, Sec. 118-46 states “Cleaning or laundry self-service shop and cleaning shop or laundry (small)” is an allowable use in Medium Commercial – District “C-2”.

**Staff Analysis:** The Future Land Use Map (Exhibit B) designation for the area is commercial. The proposed Medium Commercial – District “C-2” zoning is appropriate in this area.

Properties adjacent to the subject property are zoned as follows:

	North	South	East	West
<b>Zoning</b>	“C-1”	“C-1”	“R-1”	“C-1”
<b>FLUM</b>	Residential	Commercial	Residential	Commercial
<b>Land Use</b>	Single-Family Residential	Business	Single-Family Residential	Automobile Repair

**Public Notification:** Written notices were mailed to 19 surrounding property owners within 200 feet of the subject property.

**Recommendation:** Staff recommends approval of the request to rezone.



**Exhibit "A"**  
**Location & Current Zoning Map**

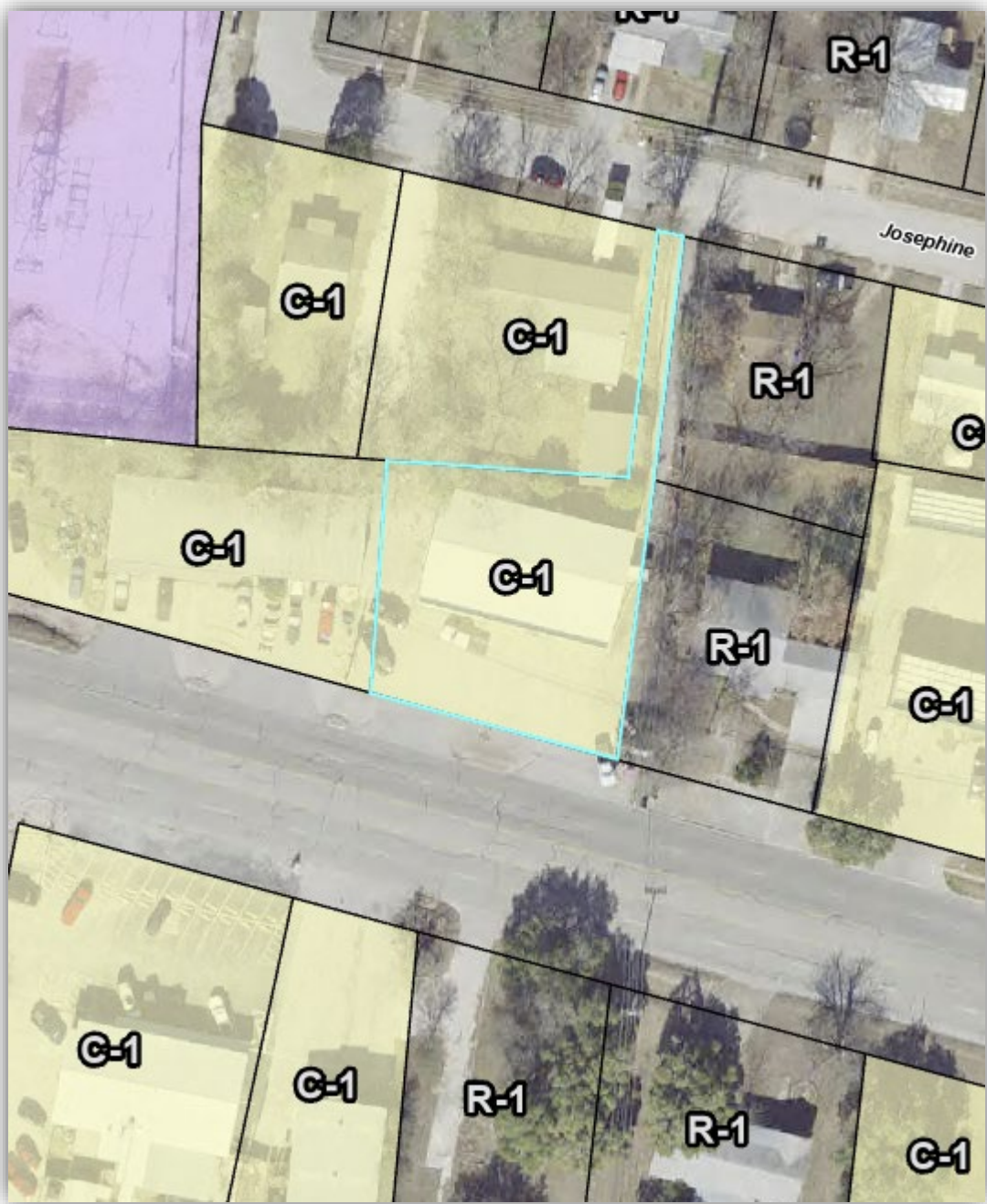




Exhibit “B”  
Future Land Use Map



Government



Commercial



Residential



Open Space



## Development Services

## ITEM 5.2 & 6.2

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### Agenda Item Brief

**Meeting Date:** June 7, 2021

**Public Hearing 5.2:** The Planning and Zoning Commission will conduct a public hearing to receive public testimony and comments on the merits of a proposed “Final Plat” for Westfall Village Subdivision, Phase Two, consisting of approximately 7.61 acres: L. Kimbler

**Action Item 6.2:** The Planning & Zoning Commission will discuss and consider a proposed “Final Plat” for Westfall Village Subdivision, Phase Two, consisting of approximately 7.61 acres: L. Kimbler

**Background:** The proposed Final Plat of Westfall Village, Phase Two will consist of 29 residential lots with one internal street, Mike Warner Dr.

The preliminary plat was approved by P&Z and City Council in December 2019. Construction plans for Phase Two of Westfall Village were approved January of 2021.

**Information:** The proposed Final Plat of Westfall Village, Phase Two 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:** A list of outstanding documents & items remaining that must be provided to the City prior to recordation are as follows:

1. Copy of the deed restrictions or covenants.
2. Fiscal security, in such amount as approved by the City Engineer, assuring completion of all required improvements shall be provided.
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. Label all pages correctly as “Final Plat.”
6. Resolve Public Work’s comments in regard to adding easement note to Lot 1.
7. Resolve Engineer’s comments

**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.





