



## 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, February 7, 2022**, at **6:00 p.m.** at the City of Burnet's Community Center located at 401 East 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 6:00 p.m. by Chairman Gaut

### 2. ROLL CALL:

Members Present: Tommy Gaut, Calib Williams, Glen Teague, Glen Gates

Members Absent: Derek Fortin

Guests: Staci McGuire, Jessica Ogden, Mary Jane Shanes, Christopher Ward, Cathy Flowers, Holly Diemer, Jody Perry, Lynn Lail, Kenny Adair, Alexis Rivera, Aaron Rivera, Reed McIntire, Sondra Mobley, Glenn Morris, Reed Frimire, Wade Langley, Mike Drake

Others Present: Habib Erkan Jr, Assistant City Manager  
Leslie Kimbler, Planning Manager  
Matt Imrie, Community Development Coordinator

### 3. CONSENT AGENDA ITEMS: All 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 meeting of the Planning and Zoning Commission of the City of Burnet, Texas held on January 3, 2022.

A motion was made to approve the minutes from the January 3, 2022 meeting by Commissioner Williams and was seconded by Chairman Gaut. The motion carried with a vote of 4 to 0.

#### 3.2) Minutes of the Workshop meeting of the Planning and Zoning Commission of the City of Burnet, Texas held on January 5, 2022.

A motion was made to approve the minutes from the January 5, 2022 Workshop Meeting by Commissioner Williams and was seconded by Commissioner Teague. The motion carried with a vote of 4 to 0.

### 4. PUBLIC HEARINGS:

- 4.1) Public Hearing and Consideration of the following: Adoption and Amendments of the Zoning Ordinance, Future Land Use Plan and Zoning Classifications presented by Habib Erkan Jr., Assistant City Manager and Leslie Kimbler, City Planner.

- (a) AN ORDINANCE AMENDING CITY CODE OF ORDINANCES CHAPTER 118 (ENTITLED "ZONING") FOR THE PURPOSE OF AMENDING THE SINGLE-FAMILY RESIDENTIAL —DISTRICT "R-1" BY INCREASING THE MINIMUM LOT WIDTH REQUIREMENT TO 75- FEET AND INCREASING THE MINIMUM LOT SIZE TO 9000 SQUARE FEET; AND ESTABLISHING A NEW SINGLE-FAMILY RESIDENTIAL —DISTRICT "R-6" WITH MINIMUM LOT WIDTH REQUIREMENT OF 60- FEET AND MINIMUM LOT SIZE REQUIREMENT OF 7600 SQUARE FEET

- (1) Staff Presentation – H. Erkan Jr.
- (2) Public Hearing
- (3) Consideration and action.

Habib Erkan Jr, Assistant City Manager, presented staff's report regarding an Ordinance amending City Code of Ordinances Chapter 118 (Entitled "Zoning" for the purpose of amending the Single Family Residential- District "R-1" by increasing the minimum lot width requirement to 75-feet and increasing the minimum lot size to 9000 square feet, and establishing a new Single Family Residential- District "R-6" with minimum lot width requirement of 60-feet and minimum lot size requirement of 7600 square feet.

Chairman Gaut then opened the floor for public comment.

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

Chairman Gaut made a motion to approve the ordinance as read, the motion was seconded by Commissioner Williams. The motion carried with a vote of 4 to 0.

- (b) AN ORDINANCE AMENDING CITY CODE OF ORDINANCES CHAPTER 118 (ENTITLED "ZONING") FOR THE PURPOSE OF ESTABLISHING A NEW SINGLE-FAMILY RESIDENTIAL —DISTRICT "R-5" WITH MINIMUM LOT WIDTH REQUIREMENT OF 50- FEET AND INCREASING THE MINIMUM LOT SIZE TO 6000 SQUARE FEET

- (1) Staff Presentation – H. Erkan Jr.
- (2) Public Hearing
- (3) Consideration and action

Habib Erkan Jr, Assistant City Manager, presented staff's report regarding an Ordinance Amending City Code Of Ordinances Chapter 118 (Entitled "Zoning") For The Purpose Of Establishing A New Single-Family Residential —District "R-5" With Minimum Lot Width Requirement Of 50-Feet And Increasing The Minimum Lot Size To 6000 Square Feet

Chairman Gaut then opened the floor for public comment.

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

Commissioner Gates made a motion to approve the ordinance as read and was seconded by Commissioner Williams. The motion carried with a vote of 4 to 0.

- (c) AN ORDINANCE AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 118 (ENTITLED "ZONING") BY AMENDING SECTION 118-35 (ENTITLED "MULTI-FAMILY RESIDENTIAL—DISTRICT 'R-3'") BY INCREASING THE MAXIMUM STORIES TO THREE, CLARIFYING THE MAXIMUM UNITS PER ACRE ARE 20, AND AMENDING THE OPEN SPACES REQUIREMENTS

- (1) Staff Presentation – H. Erkan Jr.
- (2) Public Hearing
- (3) Consideration and action

Habib Erkan Jr, Assistant City Manger presented staffs report on an Ordinance Amending City Of Burnet Code Of Ordinances, Chapter 118 (Entitled "Zoning") By Amending Section 118-35 (Entitled "Multi-Family Residential—District 'R-3'") By Increasing The Maximum Stories To Three, Clarifying The Maximum Units Per Acre Are 20, And Amending The Open Spaces Requirements.

Chairman Gaut then opened the floor for public comment.

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

Commissioner Gates made a motion to approve the ordinance as read and was seconded by Chairman Gaut. The motion carried by a vote of 4 to 0.

- (d) AN ORDINANCE AMENDING CITY CODE OF ORDINANCES CHAPTER 118 (ENTITLED "ZONING") FOR THE PURPOSE OF ADOPTING A NEW SECTION 118-63 (ENTITLED "MUNICIPAL GOLF COURSE VEGETATIVE BUFFER REQUIREMENTS") THAT SHALL ESTABLISH A 25 FOOT BUFFER ZONE ON CERTAIN PROPERTIES ABUTTING THE MUNICIPAL GOLF COURSE

- (1) Staff Presentation – H. Erkan Jr.
- (2) Public Hearing
- (3) Consideration and action

Habib Erkan Jr, Assistant City Manager, presented staff's report on an Ordinance Amending City Code Of Ordinances Chapter 118 (Entitled "Zoning") For The Purpose Of Adopting A New Section 118-63 (Entitled "Municipal Golf Course Vegetative Buffer Requirements") That Shall Establish A 25 Foot Buffer Zone On Certain Properties Abutting The Municipal Golf Course.

Chairman Gaut then opened the floor for public comment.

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

Commissioner Gates made a motion to approve the ordinance as read and was seconded by Commissioner Teague. The motion carried with a vote of 4 to 0.

- (e) AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY GRANTING A CONDITIONAL USE PERMIT TO ALLOW THE USE OF AN "AIRPLANE HANGAR" IN A LIGHT COMMERCIAL – DISTRICT "C-1" FOR PROPERTY DESCRIBED AS 2802 S WATER STREET (LEGALLY DESCRIBED AS HIGHERPOWER SUBDIVISION, UNIT 1) PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

- (1) Staff Presentation – L. Kimbler
- (2) Public Hearing
- (3) Consideration and action

Leslie Kimbler, Planning Manager, presented staff's report on an Ordinance of the City Council Of Burnet, Texas, Amending Ordinance No. 2021-01 And The Official Zoning Map Of The City By Granting A Conditional Use Permit To Allow The Use Of An "Airplane Hangar" In A Light Commercial – District "C-1" For Property Described As 2802 S Water Street (Legally Described As Higher Power Subdivision, Unit 1).

Chairman Gaut then opened the floor for public comment.

Glen Morris stated that he had no objection to the zoning but was unclear of the actual location. Staff was able to show Mr. Morris the location in question.

There being no other speakers, Chairman Gaut closed the public hearing. Commissioner Teague made a motion to accept the ordinance as read and was seconded by Commissioner Williams. The motion carried with a vote of 4 to 0.

- (f) AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY GRANTING A CONDITIONAL USE PERMIT TO ALLOW THE USE OF AN "AIRPLANE HANGAR" IN A LIGHT COMMERCIAL – DISTRICT "C-1" FOR PROPERTY DESCRIBED AS 3242 S WATER STREET (LEGALLY DESCRIBED AS FLIGHT LINE BOULEVARD SUBDIVISION, LOT 1D) PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

- (1) Staff Presentation – L. Kimbler
- (2) Public Hearing
- (3) Consideration and action

Leslie Kimbler, Planning Manager, presented staff's report on an Ordinance of the City Council Of Burnet, Texas, Amending Ordinance No. 2021-01 And The Official Zoning Map Of The City By Granting A Conditional Use Permit To Allow The Use Of An "Airplane Hangar" In A Light Commercial – District "C-1" For Property Described As 3242 S Water Street (Legally Described As Flight Line Boulevard Subdivision, Lot 1d).

Chairman Gaut then opened the floor for public comment.

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

Commissioner Gates made a motion to approve the ordinance as read and was seconded by Commissioner Williams. The motion carried with a vote of 4 to 0.

- (g) AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY GRANTING A CONDITIONAL USE PERMIT TO ALLOW THE USE OF AN "AIRPLANE HANGAR" IN A LIGHT COMMERCIAL – DISTRICT "C-1" FOR PROPERTY DESCRIBED AS 3214 S WATER STREET (LEGALLY DESCRIBED AS FLIGHT LINE BOULEVARD SUBDIVISION, LOT 1C) PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

- (1) Staff Presentation – L. Kimbler
- (2) Public Hearing
- (3) Consideration and action

Leslie Kimbler, Planning Manager, presented staff's report on an Ordinance of the City Council Of Burnet, Texas, Amending Ordinance No. 2021-01 And The Official Zoning Map Of The City By Granting A Conditional Use Permit To Allow The Use Of An "Airplane Hangar" In A Light Commercial – District "C-1" For Property Described As 3214 S Water Street (Legally Described As Flight Line Boulevard Subdivision, Lot 1c)

Chairman Gaut then opened the floor for public comment.

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

Commissioner Williams made a motion to accept the ordinance as read and was seconded by Chairman Gaut. The motion carried with a vote of 4 to 0.

- (h) AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY GRANTING A CONDITIONAL USE PERMIT TO ALLOW THE USE OF A "HELIPORT" IN A LIGHT COMMERCIAL – DISTRICT "C-1" FOR PROPERTY DESCRIBED AS 3214 S WATER STREET (LEGALLY DESCRIBED AS FLIGHT LINE BOULEVARD SUBDIVISION, LOT 1C) PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

- (1) Staff Presentation – L. Kimbler
- (2) Public Hearing
- (3) Consideration and action

Leslie Kimbler, Planning Manager, presented staff's report on an Ordinance of the City Council Of Burnet, Texas, Amending Ordinance No. 2021-01 And The Official Zoning Map Of The City By Granting A Conditional Use Permit To Allow The Use Of A "Heliport" In A Light Commercial – District "C-1" For Property Described As 3214 S Water Street (Legally Described As Flight Line Boulevard Subdivision, Lot 1c).

Chairman Gaut then opened the floor for public comment.

Matt Imrie, Community Development Coordinator read to letters that were provided to staff. One from Tres Clinton and one from Staci McGuire.

Sondra Mobley spoke asking if this ordinance only allow the CareFlite helicopter to use this location or would recreational helicopters be able to land here too.

Gary Lash spoke and stated that he was not opposed but expressed his concerns about rotor wash and the possibility of the helicopter crashing that close to a building.

Chris Ward spoke and stated that CareFlite is a great asset to the community and that he understands the concerns, but the U.S. Army routinely flies to the Burnet Municipal Airport as well with no issues.

Staci McGuire then spoke and stated that she is very concerned about the safety of her employees and her students in her building adjacent to the location that the helicopter could be landing. She stated that CareFlite's own policy for landing areas is violated by this request. She states that she welcomes them to the community but thinks that they should build their own hangar on airport property and that the proposed location has limited space and is very loud.

Sondra Mobley spoke again and asked about minimum spacing from buildings.

Reed Frimire spoke and stated that his office at another airport is 32 feet from the nose of the helicopter to his office window and that he has no noise, rocks, or dirt hitting his office window. He stated that CareFlite wants to be a good neighbor to the community.

Lyn Lail spoke and stated that CareFlite has a commitment to the community, that they have been in business since 1979 and are the second oldest helicopter ambulance service in the state. She stated they have had no serious accidents and that they have no minimum number of flights. She stated that they want to become part of the community. Lail also stated that CareFlite is a not for profit organization and that all money collected goes back into patient care and their equipment. Lail went on to state that by their policy they need a 60 by 60 foot landing area and that they use a "Category A" type take off and landing, meaning that they go straight up and come straight down.

No other speakers came forward and Chairman Gaut closed the public hearing.

Chairman Gaut asked if the Airport Advisory Board had been consulted on this matter and was advised they had not.

Chairman Gaut made a motion to table the item until such time the City Staff is able to assess usage criteria of helipad vs heliport, allowable types of helicopter services and most importantly flight safety and air operational standards can be brought before the commission and after the Airport Advisory Board had been consulted. The motion was seconded by Commissioner Williams and carried with a vote of 4 to 0.

- 4.2) The Planning & Zoning Commission will conduct a public hearing to receive public testimony and comments on the merits of a proposed "Preliminary Plat" for approximately 11.35 acres out of the Susano Hernandez Survey, No .40, Abs. No. 398. The proposed "Preliminary Plat" will establish The Ranch at Delaware Creek Subdivision, Phase Two, consisting of approximately 29 residential lots: L. Kimbler

Leslie Kimbler, Planning Manager, presented staff's report on the merits of a proposed "Preliminary Plat" for approximately 11.35 acres out of the Susano Hernandez Survey, No .40, Abs. No. 398. The proposed "Preliminary Plat" will establish The Ranch at Delaware Creek Subdivision, Phase Two, consisting of approximately 29 residential lots.

Chairman Gaut Chairman Gaut then opened the floor for public comment.

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

## **5. ACTION ITEMS:**

- 5.1) Discuss and consider action: The Planning and Zoning Commission shall discuss and consider action on a proposed "Preliminary Plat" for approximately 11.35 acres out of the Susano Hernandez Survey, No .40, Abs. No. 398. The proposed "Preliminary Plat" will establish The Ranch at Delaware Creek Subdivision, Phase Two, consisting of approximately 29 residential lots: L. Kimbler

Commissioner Gates made a motion to approve proposed "Preliminary Plat" for approximately 11.35 acres out of the Susano Hernandez Survey, No .40, Abs. No. 398. The proposed "Preliminary Plat" will establish The Ranch at Delaware Creek Subdivision, Phase Two, consisting of approximately 29 residential lots. The motion as seconded by Commissioner Teague and the motion carried with a vote of 4 to 0.

## **6. STAFF REPORTS:**

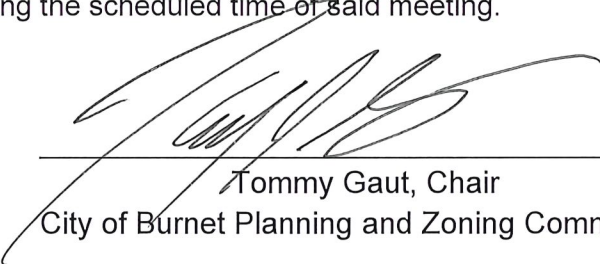
## **7. REQUESTS FOR FUTURE AGENDA ITEMS:**



## ADJOURN


**There being no further business, Chairman Gaut adjourned the meeting at 7:17 p.m.**

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 December 3, 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.



---

Tommy Gaut, Chair  
City of Burnet Planning and Zoning Commission



---

**Attest:** Herve Derek Fortin, Secretary  
City of Burnet Planning and Zoning Commission