



OLD TOWN RIGHT-OF-WAY USE AGREEMENTS

Old Town Design Standards Review Committee: February 14, 2024

RIGHT-OF-USE AGREEMENTS

The City utilizes a right-of-way (R-O-W) use agreement for any improvement or use within a publicly dedicated right-of-way or easement. The current process is detailed Section 3.3 of the City's Design Manual.

The following list identifies examples of items that require an agreement:

- ❖ Masonry fences or any part of a fence that is masonry
- ❖ Retaining walls greater than 3 feet or, if the wall supports a structure, less than 3 feet
- ❖ Private storm drains or area drains
- ❖ Swimming pool decks
- ❖ Wood decks, patios, and gazebos
- ❖ Buildings, signs, or other permanent improvements

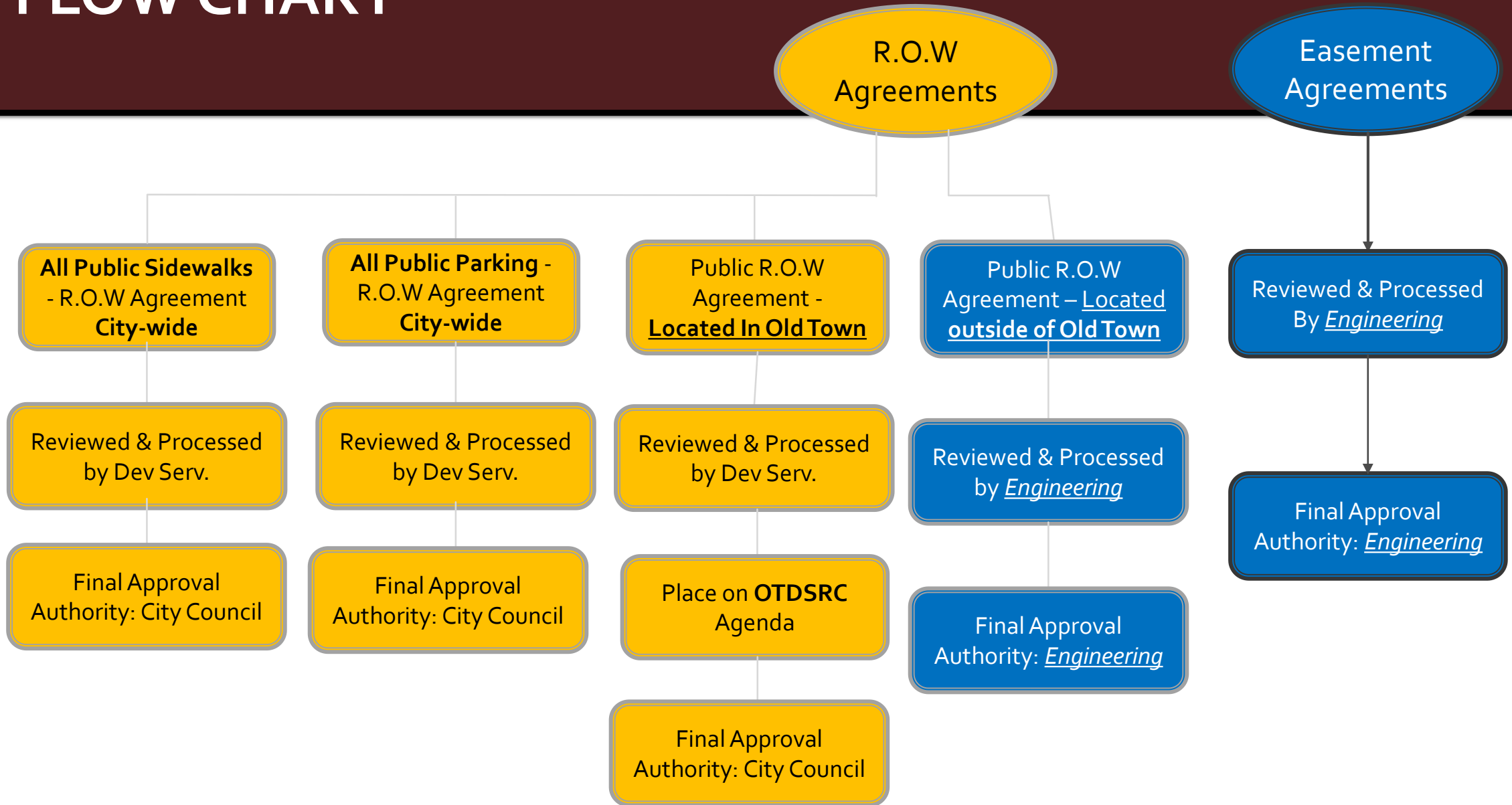
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- ❖ Prior to 2016, Old Town easement and right-of-way use agreements were administratively handled by the Director of Engineering.
- ❖ Starting in 2016, City management directed staff to take Old Town easement and right-of-way use agreements forward for review and approval by the City Council for any improvement or use within a publicly dedicated right-of-way.
- ❖ There are currently six different Old Town establishments that have approved easement and right-of-way use agreements: Grumps, Old Texas Brewing, Babe's Chicken House, Eagle's Point, Spice Rack, and Old Town Station.

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- ❖ Most recently, the Council Policy and Valuation Policy Committee has conducted two meetings (11.2.23 and 1.24.24) to discuss revisions to the current process for right-of-way use agreements.
- ❖ The Committee intends to recommend to the City Council that all right-of-way use agreements located in Old Town will proceed to the Old Town Design Standards Review Committee for review and then to City Council for consideration.
- ❖ The Committee has directed staff to provide a report and seek the OTDSRC's feedback on criteria for plan submittals and possibly adding design professionals to its membership.

FLOW CHART



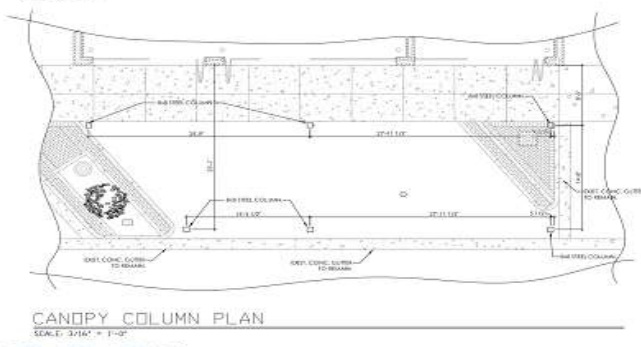
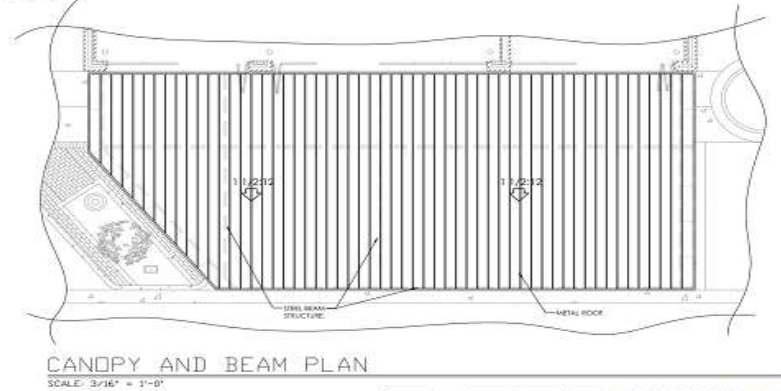
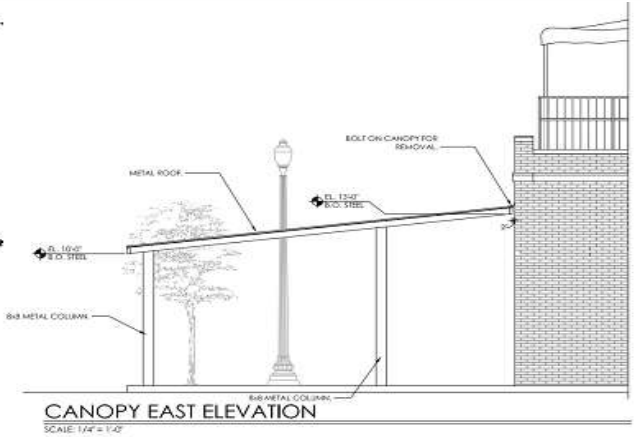
RECENTLY APPROVED AGREEMENT (SPICE RACK)



Paint current metal of Awning black to match esthetics of building and match Hei m BBQ or replace with standing seam to match RAZOO'S if necessary



RECENTLY APPROVED USE AGREEMENT (OTB)



CRITERIA FOR PLAN SUBMITTALS

- ❖ Staff is proposing the following plan submittal details:
 - Facility Details – provide a detail and/or cross-section of the private facilities to be placed in the R.O.W/easement. Vertical alignment of existing and proposed facilities must be shown.
 - Colored architectural or technical renderings that detail the proposed improvements, building materials specifications, height and coverage.
 - If applicable, standardized details for outdoor dining (e.g. colored renderings, number of tables, chairs, lighting, etc.)
 - If in Old Town, must adhere to the Old Town Design Standards
 - What other elements would be helpful to consider?

COMMITTEE FEEDBACK

❖ The OTDSRC :

- The committee shall consist of nine members, and one member must reside or own a business in Burleson Old Town Overlay district, one member shall be the seated President of the Burleson Heritage Foundation.
- As the role of the OTDSRC changes, the Council Policy and Valuation Committee would like your feedback on the following considerations: any suggested changes to the number of members; composition of membership (i.e. design professionals); any necessary changes to the application and/or staff deliverables and materials, etc.

RECOMMENDATION

- ❖ Staff is requesting the OTDSRC's feedback and recommendations.
- ❖ If additional information or discussions are needed, staff will conduct additional briefings.