



CITY OF BURNET

PLANNING AND ZONING

ITEM BRIEF

Meeting Date

March 2, 2026

Agenda Item

Public hearing and action: Ordinance No. 2026-06: L. Kimbler

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY REZONING PROPERTY LOCATED AT THE NORTH CORNER OF COUNTY ROAD 108 AND NORTH WATR STREET (PROPERTY ID: 125129) FROM ITS PRESENT DESIGNATION OF AGRICULTURE – DISTRICT “A” TO A DESIGNATION OF MEDIUM COMMERCIAL – DISTRICT “C-2”; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

1. Staff Presentation
2. Public Hearing
3. Discuss and considering action

Information

The subject property is an undeveloped 5.8 acre tract located at the intersection of County Road 108 and North Water Street (Exhibit A – location). It is currently zoned as Agriculture – District “A”.

The applicant is requesting to rezone the property to Medium Commercial – District “C-2” to allow for the development of a convenience store, to include the sale of gasoline, and associated retail development (Exhibit B – application and letter of intent).

Surrounding Zoning and Future Land Use

| | North | South | East | West |
|-----------------|--------------|--------------|-------------|-------------|
| Zoning | ETJ | “A” | “C-1” | “A” |
| FLUM | Commercial | Commercial | Commercial | Residential |
| Land Use | Undeveloped | Undeveloped | Undeveloped | Undeveloped |

The surrounding properties are largely undeveloped with one property across County Road 108 zoned as District C-1 with a Conditional Use permit to allow for the development of an assisted living facility, which is in the planning stages.

The Future Land Use Map designates the subject property as Commercial. The requested Medium Commercial – District “C-2” zoning is consistent with this designation.

Zoning District Overview

Medium Commercial – District “C-2” allows all permitted uses in District “C-1” and commercial land uses in facilities under 20,000 square feet. Allowable uses include, but are not limited to:

- Automobile service station, gasoline station (full and limited), filling or retail service station
- Car washes
- Child care center (small, intermediate and large) and child development facilities
- Greenhouses and plant nurseries
- Hotels and motels
- Milk and bread distributing stations
- Parking lots and commercial garage
- Recycling collection use
- Heliport

While the requested use is allowable in the requested zoning district, approval of this rezoning would allow any use permitted in the C-2 district, subject to site development regulations.

Properties zoned District “C-2” are subject to the following conditions and limitations:

- Uses must be conducted primarily within an enclosed building or a screened area
- The use must not be objectionable due to odor, light, smoke, dust, noise, or vibration
- Any such impact on the property may not exceed the levels permitted by ordinance.
- Must comply with applicable site development regulations, including the provision of paved sidewalks, driveways, and parking areas
- Screening of loading and storage areas is also required

Utilities

The property has access to adequate water service. Coordination with the City Engineer will be required to ensure wastewater is extended to properly accommodate the proposed project. Electrical services will be provided by Pedernales Electric Cooperative (PEC).

Previous Zoning Requests

There have been two previous attempts to rezone this property.

In the first attempt, the application requested to rezone the property to Light Commercial – District “C-1,” with a Conditional Use Permit to allow for the development of a convenience store including the sale of gasoline. This request was denied. The denial was primarily due to concerns about the current condition of County Road 108 and the potential negative impacts the proposed development could have on that roadway.

In the second attempt, the applicant requested to rezone the property to Medium Commercial – District “C-2” with a Conditional Use Permit to allow for the development of a Truck Stop. This second attempt was also denied. The denial was due to safety concerns regarding large commercial trucks entering and exiting the site as well as potential traffic impacts and compatibility concerns with surrounding properties.

The current request has removed any request for a Conditional Use Permit for the truck stop operation and is only seeking District “C-2” to allow for the convenience store with the sale of gasoline.

Prior to any development of the property, civil engineered site plans, including drainage, traffic circulation, lighting, parking, landscaping and buffering, will be required to be submitted for review to ensure compliance with all City of Burnet regulations.

Public Notification

Written notices were mailed to six (6) surrounding property owners within 200 feet of the subject property. There have been zero responses in favor and zero responses in opposition.

Recommendation

Open the public hearing. At the conclusion of the public hearing, discuss and consider the draft ordinance.

Exhibit A – Location and Current Zoning



Exhibit B – Application & Letter of Intent



City of Burnet Zoning Change Application

City of Burnet · Development Services Department · (512) 715-3206
1001 Buchanan Drive · Suite 4 · Burnet, Texas · 78611

Zoning Change Request - \$250

Conditional Use Permit - \$250

Name of Applicant: Amanda Brown

Current Address: 707 W 34th St

City: Austin State: TX Zip Code: 78705

Primary Phone: (____) _____ - _____ Cell Phone: (214) 695 - 9219

Email: amanda.brown@hdbrownconsulting.com

Name(s) of Property Owner(s): HWY 281 Longhorn LLC

Current Address: 6701 Sangiacomo CV

City: Austin State: TX Zip Code: 78759

Primary Phone: (____) _____ - _____ Cell Phone: (____) _____ - _____

Email: _____

Address of Property to be Rezoned: N HWY 281 Burnet, TX 78611

Legal Description: ABS A0035 Thomas Alley

Total Acreage: 5.84 Number of Lots: 1

Present Zoning: A-Ag Present Use: Undeveloped

Proposed Zoning: C2 Proposed Use: Convenience Store incl. sale of gasoline

Conditional Use Permit for: N/A and associated retail development

Applicant Signature *Amanda C. Brown* Date: 12 / 1 / 2025

Printed Name: Amanda C. Brown, President, HD Brown Consulting

Property Owner Signature: *Saif Momin* Date: 08 / 25 / 25

Printed Name: Saif Momin

| | |
|---------------------------------|----------------------------------------------------------|
| Intake Date: ____ / ____ / ____ | Received by: _____ |
| Amount Paid: \$ _____ | Cash/Check \$: _____ Receipt #: _____ |
| Case #: _____ MPN #: _____ | P&Z Date: ____ / ____ / ____ CC Date: ____ / ____ / ____ |

H D | B R O W N

Leslie Kimbler
Planning Manager
City of Burnet
1001 Buchanan Dr
Burnet, TX 78611

Via Electronic Submittal

RE: Rezoning request for a 5.84 acre tract in the John Hamilton Survey No.1, ABS No. 405 in Burnet, Texas 78611; BCAD Parcel 125129 (the “Property”)

Dear Ms. Kimbler,

We respectfully submit the attached request to rezone the Property. The Property is located at NW corner of Hwy 281 and CR 108 and is currently undeveloped. The proposed request is from Agriculture (A) to Medium Commercial District (C-2). The purpose of the zoning change application is to allow for the development of a Convenience Store that includes the sale of gasoline. The Property is designated as “Commercial” in the Future Land Use Map, which aligns with the proposed zoning and use.

The Property is suited for the proposed use for several reasons. It is situated along Hwy 281, which is a major 5-lane highway and County Road 108, which provides an appropriate transportation network to accommodate this use. Additionally, the use will provide a much needed commercial amenity to north Burnet, where currently very little exists. Finally, the Property is within the full purpose City limits and will generate significant sales and property tax revenues for the City.

An application for the Property was previously submitted for rezoning of C-2 with an associated Conditional Use Permit (CUP) to allow for a Truck Stop (draft ordinance # 2025-22). After receiving feedback from the community and City Council, we have removed the request to provide a Truck Stop.

Should you have any questions regarding this application, please do not hesitate to contact me. Thank you for your consideration.

Sincerely,



Amanda Couch Brown, Manager
HD Brown Consulting, LLC

ORDINANCE NO. 2026-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY REZONING PROPERTY LOCATED AT THE NORTH CORNER OF COUNTY ROAD 108 AND NORTH WATR STREET (PROPERTY ID: 125129) FROM ITS PRESENT DESIGNATION OF AGRICULTURE – DISTRICT “A” TO A DESIGNATION OF MEDIUM COMMERCIAL – DISTRICT “C-2”; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council, by the passage and approval of Ordinance No. 2021-01, affixed the zoning classifications for each and every property located within the city in accordance with the Official Zoning Map as approved with said ordinance; and

WHEREAS, the purpose of this Ordinance is to amend the Official Zoning Map by amending the zoning classification of the Real Property (“Property”) described herein; and

WHEREAS, the Planning and Zoning Commission, after conducting a public hearing on the matter, deliberated the merits of the proposed amendment of zoning classification and has made a report and recommendation to City Council; and

WHEREAS, in passing and approving this ordinance it is legislatively found the Planning and Zoning Commission and City Council complied with all notice, hearing and meetings requirements set forth in Texas Local Government Chapter 211; Texas Government Code Chapter 551, the City Charter; and Chapter 118, of the Code of Ordinances; and

WHEREAS, City Council, after considering the testimony and comments of the public, reports and recommendations of City Staff and the Planning and Zoning Commission, and the deliberation of its members, by passage and approval of this Ordinance hereby determines the action taken herein is meritorious and beneficial to the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT:

Section One. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted and made a part hereof for all purposes as findings of fact.

Section Two. Property. The Property that is subject to this Zoning District Reclassification is property ID 125129, legally described as: ABS A0035 THOMAS ALLEY, 5.84 ACRES as shown on **Exhibit “A”** hereto.

Section Three. Zoning District Reclassification. Medium Commercial – District “C-2” Zoning District Classification” is hereby assigned to the Property described in section two.

Section Four. Zoning Map Revision. The City Secretary is hereby authorized and directed to revise the Official Zoning Map to reflect the change in Zoning District Classification approved by this Ordinance.

Section Five. Repealer. Other ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent of such conflict.

Section Six. Severability. This Ordinance is severable as provided in City Code Section 1-7 as same may be amended, recodified or otherwise revised.

Section Seven. Effective Date. This ordinance is effective upon final passage and approval.

PASSED AND APPROVED on this the 10th day of March 2026.

CITY OF BURNET, TEXAS

Gary Wideman, Mayor

ATTEST:

Maria Gonzales, City Secretary

Exhibit "A"

Location Map

