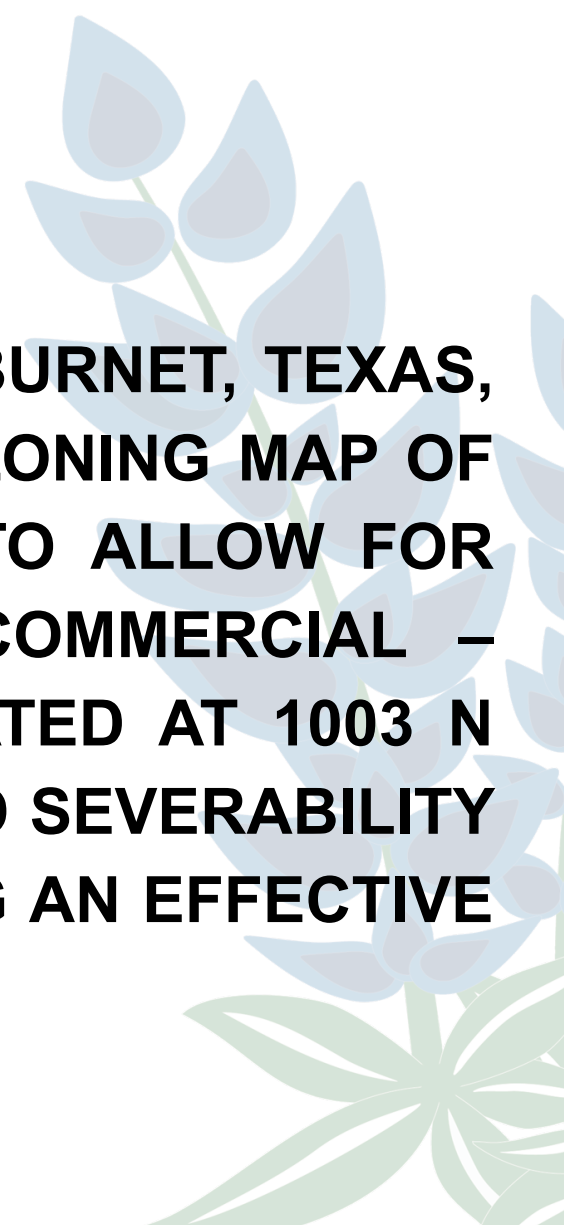


City Council Regular Meeting June 10, 2025

Discuss and consider action: Ordinance No. 2025-25: 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 GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR “GASOLINE AND/OR ALCOHOL SALES” IN A LIGHT COMMERCIAL – DISTRICT “C-1” ZONING DISTRICT FOR PROPERTY LOCATED AT 1003 N WATER STREET; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

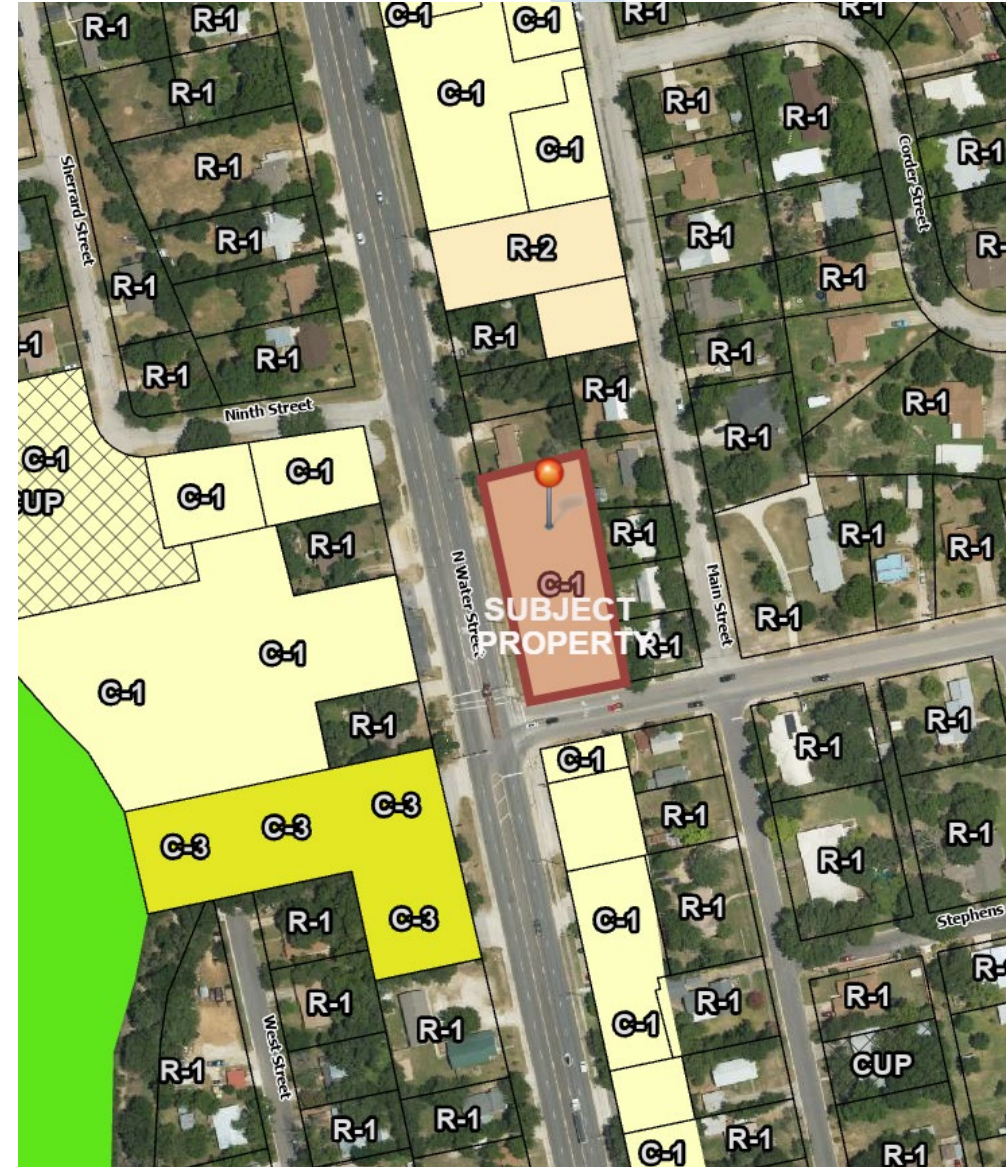


Bluebonnet Capital of Texas

CITY OF BURNET

BACKGROUND & INFORMATION

- Located at East Graves Street and North Water Street
- Consists of two undeveloped tracts
- Requesting a Conditional Use Permit to allow for a convenience store with gasoline and alcohol sales with three (3) fueling stations and 20 parking spots
- City utilities will service the tract
- Two entrances: North Water Street and East Graves Street. Applicant required to work with TxDOT for driveway permits. At this time, there is no guarantee the entrance on East Graves Street will be allowed due to the proximity of the red light.



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CITY OF BURNET

BACKGROUND & INFORMATION

Properties adjacent to the subject property are zoned as follows:

	North	South	East	West
Zoning	"R-1"	"C-1"	"R-1"	"C-1"
FLUM	Commercial	Commercial	Commercial	Commercial
Land Use	Residential	Vacant Commercial Bldg	Residential	Commercial Retail

This property does directly abut several residential properties. Commercial businesses are located across East Graves Street and across North Water Street.



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CONDITIONAL USE PERMIT CRITERIA:

Code of Ordinances, Section 118-45(4) lists “Convenience Store” as an allowable use in district “C-1”; however, gasoline and/or alcohol sales are only allowed with the approval of a Conditional Use Permit.

The Conditional Use Permit approval process is established by Code of Ordinances Sec. 118-64; Subsection (e). Per the cited section in making its recommendation the Commission should consider the following:

- **Appearance, size, density and operating characteristics are compatible with surrounding neighborhood and uses;**
- **Proposed use will not adversely affect value of surrounding properties nor impede their proper development;**
- **Proposed use will not create a nuisance factor nor otherwise interfere with a neighbor’s enjoyment of property or operation of business;**
- **Traffic generated on existing streets will not create nor add significantly to congestion, safety hazards, or parking problems, and will not disturb peace and quiet of neighborhood;**
- **Comply with other applicable ordinances and regulations.**



STAFF ANALYSIS:

Staff have reviewed the criteria in Sec. 118-64(e) and have made the following observations:

- 1. Directly abuts single-family homes; convenience store with fuel sales typically operates early in the morning and late into the evening. This extended operation schedule introduces ongoing activity, lighting, and noise. These impacts are not typical of the existing commercial or residential uses in the area.**
- 2. Commercial development has different effects on the value and development of surrounding properties. The noise, lighting, and traffic generated by the proposed use may have negative impacts on the desirability of the residential properties and discourage further residential development.**
- 3. The site is narrow with fueling stations on the northern portion of the property closest to the residential properties. This layout encourages vehicle circulation near shared property lines, increasing the likelihood of noise, fumes, and light pollution directly impacting nearby homes.**
- 4. Intersection already experiences significant congestion during the morning and afternoon hours due to nearby schools and a convenience store will increase traffic. There are safety concerns considering the space between existing traffic signals. If driveway permit for Graves Street not secured, this will create on-site issues with circulation and emergency vehicle access. There are significant concerns for both daily operations and emergency response situations.**



Public Notification:

Notices were mailed to 21 surrounding property owners.

Two response in opposition has been submitted.

Planning and Zoning:

P&Z met on June 2nd and recommended denial.

All five commissioners unanimously agreed:

- Safety concerns on highway
- Increased traffic congestion
- Concerns around the ingress and egress
- Negative impacts on the surrounding residential neighbors
- The school districts opposition

The request for the development of a convenience store with gasoline and/or alcohol sales was not an appropriate fit for this location.



Public Hearing

- **Public Hearing**
 - Limit 3 minutes per speaker
- **Discussion**
 - Discuss and consider proposed Ordinance 2025-25

