

City Council Regular Meeting

June 10, 2025

Discuss and consider action: Ordinance No. 2025-22: 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 WATER STREET FROM ITS CURRENT DESIGNATION OF AGRICULTURE – DISTRICT “A” TO A DESIGNATION OF MEDIUM COMMERCIAL – DISTRICT “C-2” WITH A CONDITIONAL USE PERMIT TO ALLOW FOR “TRUCK STOP, WITH NO REPAIR OR WASH SERVICE”; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE



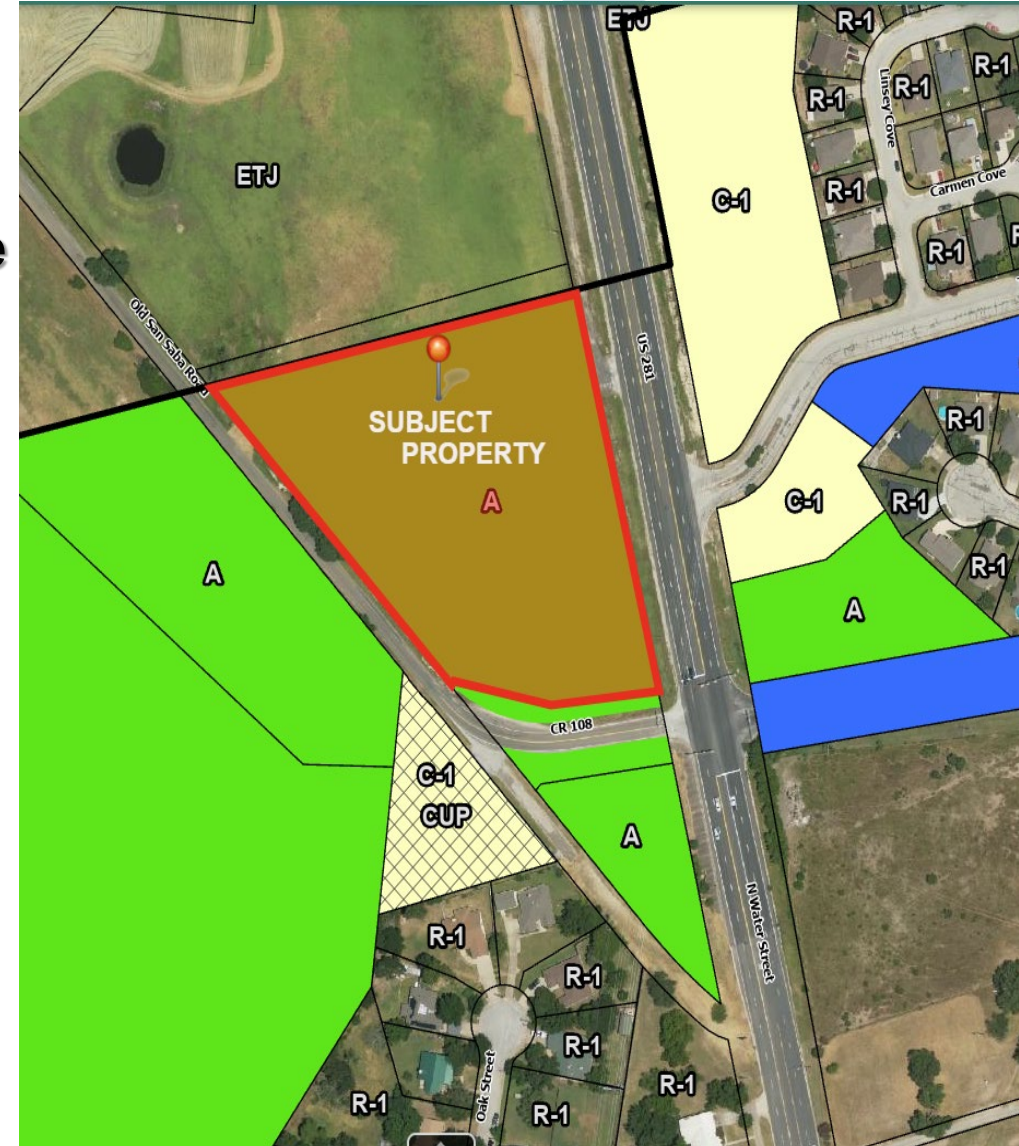
Bluebonnet Capital of Texas

CITY OF BURNET

BACKGROUND & INFORMATION

- Undeveloped 5.8 acres – intersection of CR 108 & North Water Street
- Requesting to rezone to “C-2” with a Conditional Use Permit to allow for “Truck Stop”.
- 9000 sf building; 5 fueling stations; 3 diesel pumps; 20 parking spaces for store; 19 semi-truck parking
- Water at site; must ensure property wastewater; PEC electric

One entrance on North US Hwy 281; Two entrances on CR 108



Bluebonnet Capital of Texas



Bluebonnet Capital of Texas

BACKGROUND & INFORMATION

Previous request to rezone the property to Light Commercial – District “C-1,” along with CUP for the development of a c-store including the sale of gasoline and/or alcohol, the request was denied. The denial was due to concerns about the current condition of CR 108 and the potential negative impacts the development could have on that roadway. Staff has conducted due diligence and confirmed that, at time of construction plan submittal, the applicant will be required to reconstruct the portion of CR108 impacted by the development. This reconstruction must meet all current city design and construction standards.

Properties adjacent to the subject property are zoned as follows:

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



CONDITIONAL USE PERMIT CRITERIA:

Code of Ordinances, Section 118-45(4) lists “Convenience Store (including the sale of gasoline)” as an allowable use in district “C-2”; however, truck stops are only allowed in the Heavy Commercial – District “C-3” district. Section 118-64 – Conditional Use Permits, allows a use authorized in a Heavy Commercial – District “C-3” to be authorized in a Medium Commercial – District “C-2” with 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 have reviewed the criteria in Sec. 118-64(e) and have made the following observations:

- 1. The only developed property within the surrounding area is a structure being remodeled into an assisted living facility. There is a residential subdivision across the highway from the subject property; however, the undeveloped property in front of the subdivision is zoned commercial and will likely develop with commercial use in the future.**
- 2. Commercial development can raise the property value of nearby commercial properties due to upgrades in roads and utilities and encourage further commercial development. Since this property abuts properties that are undeveloped and have a future land use of commercial, or public rights-of-way, the proposed use should not have a negative impact on abutting properties.**
- 3. As previously mentioned, most of the properties directly surrounding the subject property are currently undeveloped; therefore, it should not interfere with those neighboring properties enjoyment or operation of business.**
- 4. This property is located at an intersection with a stop light which is ideal for commercial development that may increase traffic. The stop light will help with traffic control as well as provide a safer route for patrons and large trucks to enter & exit the highway.**



Public Notification:

Notices were mailed to 6 surrounding property owners.

One response in opposition has been submitted.

Planning and Zoning:

P&Z met on June 2nd and recommended approval; vote 4-1.

One Commissioner who did vote for denial had safety concerns regarding the semi-trucks entering and exiting the highway and was uncertain how the additional “truck stop” benefited the City. The remaining four Commissioners had not major concerns about the location and felt the improvements to County Road 108 would be a benefit.



Public Hearing

- **Public Hearing**
 - Limit 3 minutes per speaker
- **Discussion**
 - Discuss and consider proposed Ordinance 2025-22

