



## Item Brief

### **Meeting Date**

April 22, 2025

### **Agenda Item**

Discuss and consider action: Resolution No. R2025-29: L. Kimbler

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING AN EXCEPTION TO THE CODE OF ORDINANCES, SECTION 118-62 – LANDSCAPING, FOR THE CASEY'S GAS STATION TO BE LOCATED AT 404 NORTH WATER STREET

### **Information**

Code of Ordinances, Section 118-62 sets forth requirements for the installation and maintenance of landscaping elements for development. A minimum of 15% of the total lot area, for commercially zoned properties, shall be devoted to landscaping. For every 600 square feet of landscaped area, two trees and four shrubs shall be planted.

Casey's Gas Station is located on a lot that is two (2) acres; 13,090 square feet of this lot is to be dedicated to landscaping. This requires a minimum of 44 trees and 88 shrubs. Due to the amount of limestone and dolomite present on the site, along with the current drought conditions, there is uncertainty regarding a tree's capacity to establish itself in such a challenging environment. The applicant has requested a reduction in the number of required trees (Exhibit A), in exchange for an increase in required shrubs.

Section 118-62(f) allows exceptions to the provisions of the landscape requirements, if granted by the City Council, to require a lesser amount of landscaping. The applicant has requested an exception and is proposing a total of 22 trees and 125 shrubs to be installed (Exhibit B). The applicant has made all efforts to ensure compliance with the number of required plantings between the building and the front property line, as well as trees along the property lines to ensure proper screening of the property. The additional shrubs will be placed along the back property line providing additional buffering from the residential properties in addition to the required privacy fence.

### **Recommendation**

Staff recommends the approval of the installation of 22 trees and 125 shrubs and Resolution No. R2025-29 as presented.

**RESOLUTION NO. R2025-29**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING AN EXCEPTION TO THE CODE OF ORDINANCES, SECTION 118-62 – LANDSCAPING, FOR THE CASEY’S GAS STATION TO BE LOCATED AT 404 NORTH WATER STREET**

**WHEREAS**, Code of Ordinances, Section 118-62 sets forth requirements for the installation and maintenance of landscaping elements and other means of site improvements in developed properties; and

**WHEREAS**, a minimum percentage of the total lot area shall be devoted to landscape development; and

**WHEREAS**, for every 600 square feet of landscaped area, two trees and four shrubs shall be planted; and

**WHEREAS**, the applicant has requested an exception to allow for a reduction in the number of trees required; and

**WHEREAS**, pursuant to Code of Ordinances, Section 118-62(f) City Council deems it appropriate to allow for a reduction in the number of required trees to be planted.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF BURNET, TEXAS, AS FOLLOWS:**

**Section One. Findings.** The recitals set out above are hereby approved and incorporated herein for all purposes.

**Section Two. Approval.** The City Council approves the installation of 22 trees and 125 shrubs, which is a reduction of required trees in exchange for additional shrubs.

**Section Three. Authorization.** The City Manager is authorized and directed to take those actions that are reasonably necessary to facilitate the purpose of this Resolution.

**Section Four. Open Meetings.** It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

**Section Five. Effective Date.** That this resolution shall take effect immediately upon its passage, and approval as prescribed by law.

**PASSED AND APPROVED** on this the 22<sup>nd</sup> day of April 2025.

**CITY OF BURNET, TEXAS**

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Gary Wideman, Mayor

**ATTEST:**

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Maria Gonzales, City Secretary

Exhibit "A" – Applicant's Request



January 14, 2025

City of Burnet  
Leslie Kimbler  
1001 Buchanan Drive, #4  
Burnet, TX. 78611

RE: Casey's Site Development permit landscaping exception

Dear Leslie:

Casey's and Sensato would like to request an exception to the landscaping ordinance with regards to our quantity of trees to be planted. Our Geotechnical investigation has uncovered a tremendous amount of very hard rock (limestone and dolomite). Some of this rock is as shallow as 6" on the site and our concern is the tree's ability to establish itself in such an austere environment. We're also recently exposed to droughts in this area that have left us without the ability to water our landscaping adequately. We believe that the rock present at the site and the state's push to be water wise should grant us an exception at this location.

Respectfully,

A handwritten signature in blue ink that reads "Michael Beevers". The signature is fluid and cursive, written over a large, light blue circular graphic element.

Michael Beevers

[illegible]