

## AGENDA

Planning & Zoning  
Commission Meeting  
June 6, 2016  
6:00 p.m. - City Hall  
501 Sheppard Road  
Burkburnett, Texas 76354

**Item 1.** Call meeting to order.

**Item 2.** Discuss and take any action necessary on approval of the minutes from May 2, 2016 Regular meeting and May 13, 2016 Special Called Meeting.

**Item 3.** Discuss and take any action necessary on site plan for Burkburnett Independent School District High School.

**Item 4.** Chair to close regular meeting and open “Public Hearing” for the following Cases:

- A. Review and make recommendation regarding the following text in Zoning Ordinance Number 589, Section 8.2.A-“ There is created, in accordance with Chapter 211 of the Texas Local Government code, and established by Ordinance #589 of the City of Burkburnett, the “Planning and Zoning Commission” , hereafter sometimes referred as the “Commission”, which shall consist of five (5) regular members and two (2) alternate members, who are resident citizens, taxpayers and qualified voters of the City of Burkburnett. The alternate members shall act and serve as members of the Commission when a regular member(s) is absent or is otherwise unable to serve. Choice of the alternate member to serve at a particular meeting of the Planning and Zoning Commission shall be on an alternating basis such that both alternates have equal opportunities to serve; and
  
- B. Review and make recommendation regarding the following text in Zoning Ordinance Number 589, Section 8.3-A.1. Quorum – A quorum shall consist of four (4) members of the Commission, and any issue to be voted upon shall be resolved by four (4) of those members present.

**Item 5.** Chair to close “Public Hearing” and re-open the regular meeting.

**Item 6.** Consider and act upon the following Cases:

- A. Review and make recommendation regarding the following text in Zoning Ordinance Number 589, Section 8.2.A-“ There is created, in accordance with Chapter 211 of the Texas Local Government code, and established by Ordinance #589 of the City of Burkburnett, the “Planning and Zoning Commission” , hereafter sometimes referred as the “Commission”, which shall consist of five (5) regular members and two (2) alternate members, who are resident citizens, taxpayers and qualified voters of the City of Burkburnett. The alternate members shall act and serve as members of the Commission when a regular member(s) is absent or is otherwise unable to serve. Choice of the alternate member to serve at a particular meeting of the Planning and Zoning Commission shall be on an alternating basis such that both alternates have equal opportunities to serve; and
- B. Review and make recommendation regarding the following text in Zoning Ordinance Number 589, Section 8.3-A.1. Quorum – A quorum shall consist of four (4) members of the Commission, and any issue to be voted upon shall be resolved by four (4) of those members present.

**Item 7.** Adjournment.

I, Janelle Dolan, City Clerk for the City of Burkburnett, Texas do certify that I posted this agenda on the front door of the City Hall facing the outside at 10:30 a.m. on June 3, 2016 in compliance with the Open Meeting Act Chapter 551.



Janelle Dolan, City Clerk *on 6/3/2016 @ 10:30am*

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting. Please contact the City Clerk's office at (940) 569-2263 for further information.

*MINUTES*  
*PLANNING AND ZONING COMMISSION*

The Planning and Zoning Commission of the City of Burkburnett, Texas met in a regular called meeting on May 2, 2016 at 6:00 p.m. in the Council Chambers of the City Hall, 501 Sheppard Road, Burkburnett, Texas. The meeting was open to the public with notice being given in compliance with the Open Meeting Act. The following Commission members were present:

Tim Cornelius	Chairperson
John Erickson	Commissioner
Carla Walters	Commissioner

Others present: Gordon Smith, Director of Public Works and Janelle Dolan, City Clerk.

Item 1. Chairperson Tim Cornelius called the meeting to order.

Item 2. Motion was made by Commissioner Erickson seconded by Commissioner Walters to approve the minutes from March 17, 2016. Motion carried unanimously.

Item 3. Chair Tim Cornelius closed the regular meeting at 6:01 p.m. and opened the Public Hearing for the following Case:

- A. Case #2016-28, re-zone application for 1200 and 1300 blocks of Danberry, block rezoned as a carport overlay district.

Gordon Smith, Director of Public Works, addressed the Commissioners and stated the application was presented by David Woods owner of property located at 1310 Danberry. Mr. Smith stated the original request was to allow for a carport overlay district on the 1200 block and 1300 Block of Danberry but now clarified due to the way Danberry is numbered the request is actually for 1219 thru 1318 Danberry. Mr. Smith reported all publishing and mail out requirements have been met. Also, the required amount of signatures (75%) has been satisfied and ownership has been verified by City Staff. 16 out of the 20 total property owners on the block has signed the petition requesting the carport overlay district. Public Notices as required by the Zoning Ordinance were sent to the proposed district and all properties 200 feet adjacent to the proposed district. Mr. Smith stated staff recommends approval.

Item 4. Chair Tim Cornelius closed the Public Hearing at 6:05 p.m. and opened the regular meeting.

Item 5. Consider and act upon the following Case:

- A. Case #2016-28, re-zone application for 1200 and 1300 blocks of Danberry, block rezoned as a carport overlay district.

Motion was made by Commissioner Walters, seconded by Commissioner Erickson approve the rezone application for 1219 thru 1318 Danberry blocks rezoned as a carport overlay. Motion carried unanimously.

Item 6. There being no further business the meeting was adjourned.

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Tim Cornelius, Chair

ATTEST:

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Gordon Smith, Director of Public Works

*MINUTES*  
*PLANNING AND ZONING COMMISSION*

The Planning and Zoning Commission of the City of Burkburnett, Texas met in a special called meeting on May 13, 2016 at 8:30 a.m. in the Council Chambers of the City Hall, 501 Sheppard Road, Burkburnett, Texas. The meeting was open to the public with notice being given in compliance with the Open Meeting Act. The following Commission members were present:

John Erickson	Commissioner
Aaron King	Commissioner
Howard Locklin	Commissioner

Others present: Mike Whaley, City Manager and Janelle Dolan, City Clerk.

Item 1. Janelle Dolan, City Clerk, called the meeting to order and asked for a motion for a Temporary Chairperson for this meeting.

Motion was made by Commissioner Erickson, seconded by Commissioner Locklin to appoint Commissioner King as Temporary Chairperson for this meeting. Motion carried unanimously.

Item 2. Mr. Whaley, City Manager, addressed the Commissioners and stated as a portion of the school bond, the Burkburnett Independent School District (BISD) is adding additional square footage to the Evans Elementary Campus. The City Staff has reviewed the site plan as well as preliminary construction details such as, storm drainage, easements, set back, utilities, and parking. The developer has met the requirements as set forth by the zoning ordinance. Mr. Whaley stated it is required by the Zoning Ordinance that all site plans be reviewed by the P&Z Board for recommendation to the Board of Commissioners.

Motion was made by Commissioner Locklin, seconded by Commissioner Erickson to approve the site plan for the Burkburnett Independent School District Evans Campus. Motion carried unanimously.

Item 3. There being no further business the meeting was adjourned.

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Aaron King, Temporary Chair

ATTEST:

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Gordon Smith, Director of Public Works



## Planning and Zoning Agenda Memo

**From:** Gordon Smith, Director of Public Works

**Date:** June 2, 2016

**Item:** Discuss and take any action necessary on a Site Plan to construct additions to the Burkburnett High School Main building and new Tennis Court Additions at 109 Kramer Rd..

### Background

Burkburnett Independent School District 2016 Capital Improvement plan is to add a classroom addition to the east end of the main building and a locker room addition to the north side of the main gym. Also construction plan outlines eight (8) new tennis courts to be constructed north of the gym.

### Fiscal Impact

N/A

### Options

- Recommend Approval to City Commission of the site plan as presented.
- Recommend Non Approval to City Commission.

### Staff Recommendation

Staff recommends approval.

### Attachments

- 1) Proposed Site plan for the additions on the Burkburnett High School Campus.





## Planning and Zoning Agenda Memo

**From:** Gordon Smith, Director of Public Works

**Date:** June 2, 2016

**Item:** Discuss and Take Any Action Necessary on Ordinance 898 – Amending the Zoning Ordinance Section 8.2A Created Membership; Officers; Rules & Bylaws; Section 8.3.A1 Parliamentary Procedure; Quorum; Voting; Section 9.2B Members; Terms of Office.

### Background

The City Commission provided direction to staff to prepare an amendment to the Zoning ordinance to add two alternate member positions to the board rules and also clarifying the number of members needed for a quorum.

City Attorney drafted Ordinance 898 with the requested outlined changes.

The public notice publication requirement required by the zoning ordinance was published in the local paper as outlined by the ordinance.

### Options

1. Approve Ordinance 898
2. Recommend changes to the Ordinance
3. Take no Action

### Staff Recommendation

Staff recommends approval of Ordinance 898

### Attachments

- Ordinance 898

**ORDINANCE NUMBER 898**

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS AMENDING ZONING ORDINANCE NUMBER 589 BY AMENDING SECTION 8.2A. CREATED; MEMBERSHIP; OFFICERS; RULES & BYLAWS; AMENDING SECTION 8.3.A-1 PARLIAMENTARY PROCEDURE; QUORUM; VOTING; AMENDING SECTION 9.2B. MEMBERS; TERMS OF OFFICE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW.**

**WHEREAS**, the Planning and Zoning Commissioner approved the proposed amendments at its meeting on June 6, 2016;

**WHEREAS**, the Board of Commissioners finds that it is in the best interest of the City of Burkburnett to amend Ordinance #589 to allow alternative members to serve as regular members in the absence of regular members and to change the number of members present to equal a quorum from a majority to four members.

**NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, THAT:**

**SECTION 1.** That the text in Section 8.2A. of the Zoning Ordinance Number 589 be amended to read as follows:

“There is created, in accordance with Chapter 211 of the Texas Local Government code, and established by Ordinance #589 of the City of Burkburnett, the “Planning and Zoning Commission”, hereafter sometimes referred as the “Commission”, which shall consist of five (5) regular members and two (2) alternate members, who are resident citizens, taxpayers and qualified voters of the City of Burkburnett. The alternate members shall act and serve as members of the Commission when a regular member(s) is absent or is otherwise unable to serve. Choice of the alternate member to serve at a particular meeting of the Planning and Zoning Commissioner shall be on an alternating basis such that both alternates have equal opportunities to serve.

**SECTION 2.** That the text in Section 8.3A.1 of the Zoning Ordinance Number 589 be amended to read as follows:

**Quorum** – A quorum shall consist of four (4) members of the Commission, and any issue to be voted upon shall be resolved by four (4) of those members present.

**SECTION 3.** That this Ordinance shall take effect immediately after passage.

**SECTION 4.** In the event any one or more of the provisions of this Ordinance should be declared to be invalid, unenforceable or illegal; such invalidity, unenforceability or illegality shall not affect the validity, enforcement or legality of the remaining portions of this ordinance.

**SECTION 5.** It is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public as required by law and the public notice of the time, place and purpose of said meeting was given as required by law.

**PASSED AND APPROVED** on this 20<sup>th</sup> day of June 2016.

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Carl Law, Mayor

**ATTEST:**

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Janelle Dolan, City Clerk