

## AGENDA

Planning & Zoning  
Commission Meeting  
January 4, 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 December 7, 2015.

**Item 3.** Discuss and take any action necessary on site plan for Dandy Donuts.

**Item 4.** Chair to close regular meeting and open "Public Hearing" for the following Case:

- A. Case #2016-26, re-zone application for 1709 South FM 369, rezoned from Residential Open (R-2) to Agriculture (AG).

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

**Item 6.** Discuss and take any action necessary on the following Case:

- A. Case #2016-26, re-zone application for 1709 South FM 369, rezoned from Residential Open (R-2) to Agriculture (AG).

**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 9:30 a.m. on December 31, 2015 in compliance with the Open Meeting Act Chapter 551.



Janelle Dolan, City Clerk

Posted 12/31/2015 @ 9:30am.

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 special called meeting on December 7, 2015 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
Howard Locklin	Commissioner

Commissioners King and Walters were not present.

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 Locklin to approve the minutes from September 17, 2015. Motion carried unanimously.

Item 3. Motion was made by Commissioner Erickson, seconded by Commissioner Locklin to table action on this agenda item. Motion carried unanimously.

Item 4. Chair Tim Cornelius closed the regular meeting at 6:04 p.m. and opened the Public Hearing for the following Cases:

A. Amend Section 27.9 (page 82) of Zoning Ordinance #589 Section 27.11 (page 90) as follows:

Add Fireworks Sales to use chart (COMMERCIAL USES). Add "S" to the use chart to allow Fireworks Sales by Specific Use Provision in commercial business districts and industrial districts.

B. Case #2015-24, Specific Use Permit for 936 Cropper Rd. R, to allow for a Wrecker Service Impound Yard.

C. Case#2015-25, Specific Use Permit for 208 S. Red River Expressway vacant lot frontage, to allow for the seasonal business of Firework Sales

Gordon Smith, addressed the Commissioners and stated David Munsey, Owner of Rebel Fireworks LLC., petitioned the Board of Commissioners to be allowed to sell fireworks within City limits. Mr. Munsey made a request to add Fireworks Sales to the zoning ordinance and has applied for a Specific Use Provision to place an enclosed trailer on a

seasonal basis at 208 S. Red River Expressway Burkburnett Texas. The property is zoned Commercial Business and a Specific Use Provision is required for Fireworks Sales.

The enclosed trailer is 8 feet x 18 feet and will be located on the property per the proposed site plan on a seasonal basis. The owner of the property is Mike Shallenberger and has signed approval of the application. Public Notices have been submitted as required by the Zoning Ordinance.

The following addressed the Commissioners:

David Munsey, 931 Schmoker Rd., Firework Sales

Gordon Smith, addressed the Commissioners and stated a specific use application was presented by Mr. Daniel Hill, leaser of the property located at 936 Cropper Rd. R. The applicant is requesting a Certificate of Occupancy to conduct the daily business of Wrecker Service Impound Yard. The Owner of the property is Dude Smith and staff contacted Mr. Smith for verification of the request which he stated he was aware of the submitted request and authorized. Public Notices as required by the Zoning Ordinance were sent to the proposed district and all properties 200 feet adjacent to the proposed district.

The following addressed the Commissioners:

Daniel Hill, 300 E. 7<sup>th</sup> St., Wrecker Service Impound Yard

Mel Feller, 914 Kiowa, Wrecker Service Impound Yard

Item 6. Chair Tim Cornelius closed the Public Hearing at 6:40 p.m. and opened the regular meeting.

Item 7. Consider and act upon the following Cases:

A. Amend Section 27.9 (page 82) of Zoning Ordinance #589 Section 27.11 (page 90) as follows:

Add Fireworks Sales to use chart (COMMERCIAL USES). Add "S" to the use chart to allow Fireworks Sales by Specific Use Provision in commercial business districts and industrial districts.

B. Case #2015-24, Specific Use Permit for 936 Cropper Rd. R, to allow for a Wrecker Service Impound Yard.

C. Case#2015-25, Specific Use Permit for 208 S. Red River Expressway vacant lot frontage, to allow for the seasonal business of Firework Sales

Motion was made by Commissioner Locklin, seconded by Commissioner Erickson to add Fireworks Sales to use chart (COMMERCIAL USES). Add "S" to the use chart to allow Fireworks Sales by Specific Use Provision in commercial business districts and industrial districts. Motion carried unanimously.

Case #2015-24 Motion was made by Commissioner Locklin, seconded by Commissioner Erickson to approve the Specific Use Provision for 936 Cropper Rd. R, to allow for a Wrecker Service Impound Yard. Motion carried unanimously.

Case #2015-25 Motion was made by Commissioner Locklin, seconded by Commissioner Erickson to approve the Specific Use Permit for 208 S. Red River Expressway vacant lot frontage, to allow for the seasonal business of Firework Sales/Stand. Motion carried unanimously.

Item 8. 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



## Planning and Zoning Agenda Memo

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

**Date:** December 21, 2015

**Item:** Discuss and take any action necessary on a Site Plan to construct a Commercial Building at 700 Sheppard Rd. Burkburnett Texas.

### Background

Mr. In Jun Shim, Owner of Dandy Donuts presented a site plan for consideration of approval to construct a commercial building at 700 Sheppard Rd. Burkburnett Texas. The Owner intends to relocate the existing Dandy Donuts business into the new facility just adjacent from the existing Dandy Donuts. The property is zoned Commercial Business.

The proposed building is 1,850 square feet and meets the required parking and landscape requirements.

### Fiscal Impact

N/A

### Options

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

### Staff Recommendation

Staff recommends approval.

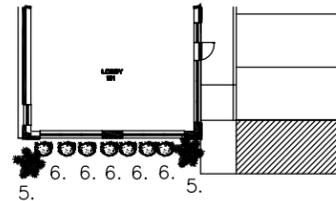
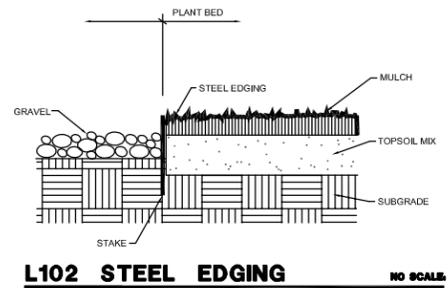
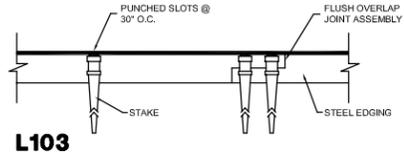
### Attachments

- 1) Proposed Site plan for the commercial building of Dandy Donuts.

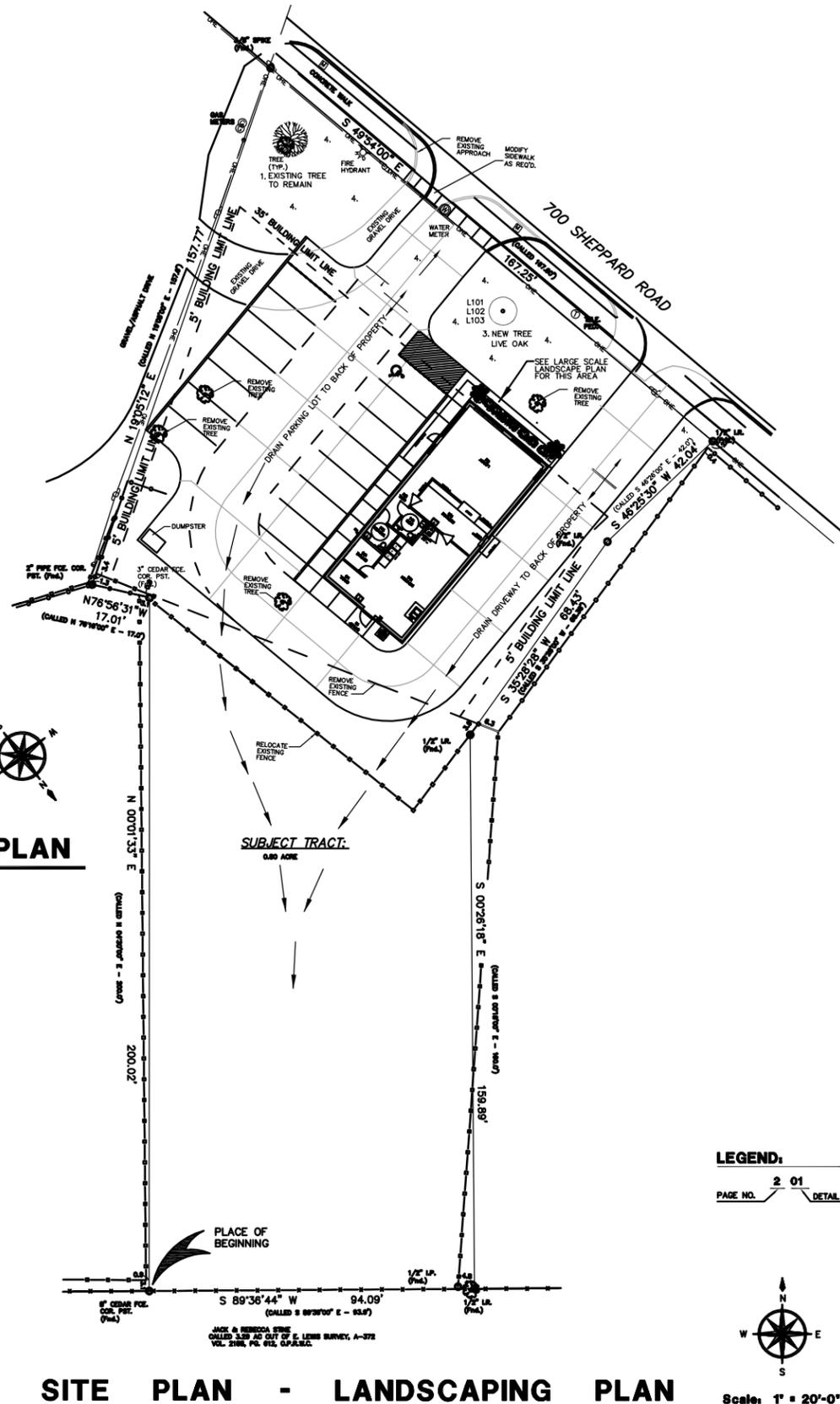
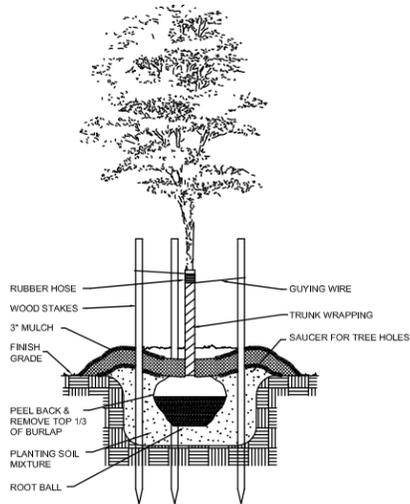


LANDSCAPE LEGEND			
SYMBOL	KEY NAME	KEY	REMARKS
	1. EXISTING TREE TO REMAIN	10" TO 20"	LEVEL FOR NEW GRASS
	2. EXISTING TREE TO BE REMOVED	10" TO 20"	
	3. NEW TREE LIVE OAK	3" CALIPER	65 GALLON CONTAINER - SEE DET L101
	4. BERMUDA GRASS	SOLID SOD	419 SOD BERMUDA
	5. CRAPE MYRTLE	5 GALLON	CONTAINER GROWN
	6. DWARF YOUAPON	2 GALLON	CONTAINER GROWN, FULL - 24" O.C.

NOTES:  
 1. BED PREPARATION: ADD 5 CUBIC FEET PEAT MOSS AND 1/2 LB. EPLAM GRANULES PER 100 SQ. FT. OF BED AREA. TILL TO DEPTH OF 6" TO 8". FINISH GRADE OF BED SHALL BE 1" BELOW ADJACENT TURF OR PLANTING.



**FRONT LANDSCAPE PLAN**  
LARGE SCALE



LEGEND:  
PAGE NO. 2 01 DETAIL NO.



Michael E. Koen . . . Architect, Inc.  
 2211 Midwestern Parkway, Suite #4,  
 Wichita Falls, Texas 76308  
 940-692-5857 Fax 940-692-5654



A New Building For  
 MR. IN JUN SHIM  
 • Dandy Donuts •  
 700 Sheppard Road  
 Burkburnett, Texas 76354

Revised:  
 12-17-15

Job No. 15778  
 Date: Nov. 2015  
 Drawn By: Koen

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Sheet No. **L1**  
 of 11



## Planning and Zoning Commission Agenda Memo

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

**Date:** December 21, 2015,

**Item:** Rezone Application: Residential 2 (open) to AG Agricultural

### Background

An application was presented by Mr. Nathan Waddell owner of property located at 1709 South FM 369. This request is to rezone the property from R-2 to AG.

Mr. Waddell owns 21.23 acres at the south end of the City Limits on FM 369. Part of the property is in City Limits and the remainder is in the County. He stated reason for the request is to allow for an accessory building to be used for Agricultural use and storage.

Staff informed the applicant that the existing storage container and vehicles would need to be removed from the property. Also that the container was not permitted and the other items were creating a nuisance. Additionally informed him that R-2 Open requires a main structure to be constructed on the property prior to any accessory buildings to be located on the property.

Public Notices as required by the Zoning Ordinance were sent to all properties 200 feet adjacent to the proposed district. All publishing and mail out requirements have been met.

### Zoning Ordinance

Agricultural Zoning allows for an accessory building on acreage with the primary use to be for agricultural purposes.

All other Zoning Districts require a main structure on the property prior to any accessory building being constructed.

### Comprehensive Plan

The Future Land Use Plan displays the property as medium density residential.

### Subdivision Ordinance

N/A

### Staff Recommendation:

Non- Approval based on compliance with existing approved Comprehensive Plan (Future Land Use Plan)

### Attachments

Application

Site Plan of the property

Future Land Use Plan

CITY OF BURKBURNETT  
REZONING APPLICATION

OFFICE USE:

CASE NO. 2016-1

FEE PAID 8/50.00

PROPERTY ADDRESS: ~~XXXXXXXXXX~~ 1709 South FM 369, Burkburnett, TX 76354

LEGAL DESCRIPTION: 2 15 Red River Valley Lands  
Tract LOT(S) BLOCK SECTION SUBDIVISION

AREA IN ACRES 21.23 Acres

PRESENT ZONING CLASSIFICATION R-2 PROPOSED ZONING AG

PRESENT USE Agricultural wheat Production & grazing lands.

PROPOSED USE Agricultural, wheat Production, Cattle production

REASON FOR REQUEST Currently zoned residential but I have

No plans to build a home, only a barn for storage. Only  
aprox. \_\_\_\_\_ acres is inside the city limits but it includes all the property not in a flood  
plain.

NAME OF APPLICANT Nathan Waddell

ADDRESS 1704 Pearl Ave #4 Wichita Falls, TX 76310

PHONE # 832-233-9522 nathanallenwaddell@gmail.com

I hereby certify that all information contained herein is true and correct, and that all required submissions (see reverse) have been submitted.

SIGNATURE OF APPLICANT Nath DATE 12/15/15

SIGNATURE OF PROPERTY OWNER Nath DATE 12/15/15

NOTE: SEE REVERSE SIDE FOR INSTRUCTIONS

Attach PUD application for a Planned Unit Development

PERMIT ( To be completed by the Planning Department)

The rezoning request is hereby approved based on Ord. No. \_\_\_\_\_

The rezoning request is hereby disapproved by City Council on \_\_\_\_\_

\_\_\_\_\_  
Date \_\_\_\_\_  
Director of Planning



Red line is city limit line.

Yellow line is property line of applicant.

