



City of Wimberley

221 Stillwater, Wimberley, Texas 78676

REGULAR PLANNING AND ZONING COMMISSION MEETING
WIMBERLEY ISD - ADMINISTRATION OFFICE
951 FM 2325, WIMBERLEY, TEXAS 78676
THURSDAY, AUGUST 11, 2022 - 6:00 PM

AGENDA

1. **CALL TO ORDER** August 11, 2022, at 6:00 PM
2. **CALL OF ROLL**
3. **CITIZENS COMMUNICATIONS**
This provides an opportunity for the citizens to comment on agenda and non-agenda items in advance of the regular business of the Planning and Zoning Commission. Those wishing to speak must sign-in before the meeting begins and observe a three-minute time limit when addressing the Board. Speakers will have one opportunity to speak during the time period. Comments from speakers should not be directed towards any specific member of the Board or City staff. Comments should not be accusatory, derogatory or threatening in nature.
4. **MINUTES**
 - 4.1. Approval of minutes of the Regular Planning & Zoning Commission meeting on July 14, 2022.
5. **DISCUSSION AND POSSIBLE ACTION**
 - 5.1. Hold a public hearing and consider making a recommendation to City Council regarding case CUP-22-008, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) at 180 Kingsway Drive, Wimberley, Hays County, Texas. (Applicant: Philip & Elizabeth Morley)
 - 5.2. Hold a public hearing and consider making a recommendation to City Council regarding case CUP-22-009, an application for a Conditional Use Permit to allow for the sale of beer and wine for off-premise consumption at 13620, Building D, Ranch Road 12, Wimberley, Hays County, Texas. (Applicant:Pecos Jane LLC)
6. **BOARD MEMBER REPORTS**
 - 6.1. Announcements
 - 6.2. Future Agenda Items
7. **ADJOURNMENT**

Attendance by Other Elected or Appointed Officials: It is anticipated that members of other governmental bodies, and/or city boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the body, board, commission and/or committee. The members of the boards, commissions and/or committees may be permitted to participate in discussion on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless item and action is specifically provided for on an agenda for that body, board, commission or committee subject to the Texas Open Meetings Act.

CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the bulletin board at Wimberley City Hall, a place convenient and readily accessible to the general public at all times, and to the City's website, www.cityofwimberley.com, in compliance with Chapter 551, Texas Government Code, on Monday, August 8, 2022 by 6:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.



Nathan Glasier
Planning and Development Coordinator

The City of Wimberley is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please contact City Secretary Tammy Cook at (512) 847-0025 two business days in advance of the meeting for appropriate arrangements.





City of Wimberley

221 Stillwater, Wimberley, Texas 78676

REGULAR PLANNING AND ZONING COMMISSION MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676
THURSDAY, JULY 14, 2022 - 6:00 PM

MINUTES

1. **CALL TO ORDER** July 14, 2022, at 6:00 PM

2. **CALL OF ROLL**

Commissioners Present:

David Hester
Chris Sheffield
Anne Hollows
Jerry Lunow
Tim Dodson

Staff Members Present:

Nathan Glaiser, Planning and Development Coordinator
Tammy Cook, City Secretary
Megan Santee, City Attorney

3. **CITIZENS COMMUNICATIONS**

This provides an opportunity for the citizens to comment on agenda and non-agenda items in advance of the regular business of the Planning and Zoning Commission. Those wishing to speak must sign-in before the meeting begins and observe a three-minute time limit when addressing the Board. Speakers will have one opportunity to speak during the time period. Comments from speakers should not be directed towards any specific member of the Board or City staff. Comments should not be accusatory, derogatory or threatening in nature.

No citizen comments this evening.

4. **MINUTES**

- 4.1. Approval of minutes of the Regular Planning & Zoning Commission meeting on June 9, 2022.

A motion was made by Commissioner Hester, Seconded by Commissioner Lunow. The motion to approve carried unanimously (5-0).

5. PUBLIC HEARING AND POSSIBLE ACTION

- 5.1.** Hold a public hearing and consider making a recommendation to City Council regarding case ZA-22-001, an application for a Zoning Amendment to change the zoning for property located at 140 Oldham St, Wimberley, Hays County, Texas, from Multi-Family Residential 2 (MF-2) to Commercial - Moderate Impact (C-2). (*Applicant: Judith and Charles Wilder*)

Nathan Glaiser, Planning and Development Coordinator, provided a presentation regarding Zoning Amendment Case ZA-22-001 to change the zoning for property located at 140 Oldham Street, Wimberley Texas. Mr. Glaiser stated staff recommends approval.

Commissioner Dodson opened the Public Hearing at 6:10 p.m. There being no speakers, Commissioner Dodson closed the Public Hearing at 6:10 p.m.

Discussion was held by the commission. A motion was made by Commissioner Sheffield, seconded by Commissioner Hollows to recommend approval of the zoning change request.

- 5.2.** Hold a public hearing and consider making a recommendation to City Council regarding case CUP-22-006, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) on a property located at 140 Oldham St, Wimberley, Hays County, Texas. (*Applicant: Judith & Charles Wilder*)

Charles Wilder, applicant, spoke in favor of the Conditional Use Permit and spoke briefly on parking.

Commissioner Dodson opened the Public Hearing at 6:25 p.m. There being no speakers, Commissioner Dodson closed the Public Hearing at 6:25 p.m.

Upon completion of discussion, a motion was made by Commissioner Hollows, seconded by Commissioner Sheffield to approve the Conditional Use Permit and recommend it to the Council for their formal approval. The motion carried with a vote of 4 in favor and 1 opposing (Hester).

- 5.3.** Hold a public hearing and consider making a recommendation to City Council regarding case ZA-22-002, an application for a Zoning Amendment to change the zoning for portions of 308 Rocky Springs Dr, Wimberley, Hays County, Texas, from Residential Acreage (RA) to Rural Residential 1 (R1). (*Applicant: Brett Gerhardt*)

Brett Gerhardt, applicant, spoke in support of the zoning amendment and provided intended use of the property.

Nathan Glaiser, Planning and Development Coordinator, provided a brief presentation regarding the zoning request. Mr. Glaiser stated that staff recommends approval of this zoning request.

Commissioner Dodson opened the Public Hearing at 6:34 p.m. There being no comments, Commissioner Dodson closed the Public Hearing at 6:34 p.m.

A motion was made by Commissioner Hester, seconded by Commissioner Hollows to approve the Zoning Request ZA-22-002. The motion to approve carried unanimously (5-0).

- 5.4.** Hold a public hearing and consider making a recommendation to City Council regarding case CUP-22-007, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) on a property located at 130 Smith Creek Rd, Wimberley, Hays County, Texas. (*Applicant: Hill Country Cabin Retreat, LLC*)

Nathan Glaiser, Planning and Development Coordinator, provided a brief presentation on CUP-22-007 and outlined the intended use of this property. A super majority vote of Council will be necessary to approve this

Conditional Use Permit.

Mr. and Mrs. Alex Jimenez, applicants, spoke in favor of this conditional use permit and provided images of the property and the distance to surrounding homes.

Mr. Glaiser provided the two letters of opposition for this conditional use permit. The applicants addressed these concerns.

Commissioner Dodson opened the Public Hearing at 6:54 p.m.

Those who spoke:

Linda Webb, spoke in favor of the conditional use permit and outlined the allowable uses for Residential Acreage zoning. She stated the applicants have done their work and she is willing to co-host the property rental in their absence.

Rodger Marion, spoke in opposition of this conditional use property and expressed concern about renters inadvertently trespassing to the creek on their property.

Phillip Foster, spoke in opposition of the conditional use permit.

Laura Hopkins, spoke in favor of the conditional use permit.

There being no further comments, Commissioner Dodson closed the Public Hearing at 7:14 p.m.

A motion was made by Commissioner Hollows seconded by Commissioner Lunow to approve CUP-22-007. The motion to approve passed unanimously (5-0).

6. BOARD MEMBER REPORTS

6.1. Announcements

There were no announcements.

6.2. Future Agenda Items

There were no future agenda items.

7. ADJOURNMENT

Commissioner adjourned at 7:25 p.m.

RECORDED BY:

Tammy Cook, City Secretary



APPROVED BY:

Gina V. Fulkerson, Mayor



AGENDA ITEM:	5.1 CUP-22-008 STR 180 Kingsway
SUBMITTED BY:	Nathan Glaiser, Planning and Development Coordinator
DATE SUBMITTED:	7/7/22
MEETING DATE:	8/11/22

REPORT

ITEM

The applicants, Philip & Elizabeth Morley, are requesting a Conditional Use Permit to operate a Vacation Rental (STR2) on their property at 180 Kingsway Dr. They are requesting a maximum occupancy of 4 people. The septic system on the property is sufficient for the request. They will have space for parking 4 vehicles on-site.

PROPERTY INFORMATION

Property Description

Applicant(s):	Philip & Elizabeth Morley
Property Address:	180 Kingsway Dr
Property Owner:	Philip & Elizabeth Morley
Legal Description:	Kingsway Sec 1 Lot 5
Property Size:	.77 acres
Existing Use of Property:	Residential
Existing Zoning:	Single-Family Residential 2
Shared Infrastructure	None
Request:	Vacation Rental STR2
Planning Area:	I
Overlay District:	None

Surrounding Property:

Frontage: Kingsway

		Current Zoning:	Existing Land Use:
Surrounding Zoning & Land Use	North of Property	R2	Residential
	South of Property	R1	Residential
	East of Property	R2	Residential

COMMENTS

Staff has not received any comments from citizens related to this request.

LEGAL NOTICE

Surrounding Neighbor Notification Letters (200'): 7/27/22
Published Legal Notice (Wimberley View): 7/28/22

RECOMMENDATION

Staff defers to the Planning and Zoning commission for their recommendation.

CRITERIA FOR CONSIDERATION

- (A) The use is harmonious and compatible with surrounding existing uses or proposed uses, and does not more adversely affect an adjoining site than would a permitted use;
- (B) The architecture, facade, and signage designs of the use are traditional Hill Country designs and are harmonious with those of adjacent uses. In the case of chain establishments, they shall not include or simulate the signature designs of those establishments beyond the absolute minimum necessary to identify the establishment;
- (C) The use requested by the applicant is set forth as a conditional use in the base district;
- (D) The nature of the use is reasonable;
- (E) The conditional use does not adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area;
- (F) The conditional use does not adversely affect an adjacent property by its resulting traffic through the location, or its lighting, or its type of sign; and
- (G) Any additional conditions specified, if any, ensure that the intent and purposes of the base district are being upheld.

Possible Motions can include:

- Motion to approve CUP-22-007
- Motion to approve CUP-22-007 with the following conditions (list all conditions)
- Motion to deny CUP-22-007

ATTACHMENT/S

- Application



Conditional Use Permit
Planning & Development

FOR OFFICE USE ONLY

Date: _____ CUP - 22 - 008 Staff Review _____

P&Z Hearing: 8/11/22 Council Hearing: 8/18/22 Fees Paid (\$650): ☒ _____

Applicant: Philip + Elizabeth Morley
Mailing Address: 180 Kingsway Dr. City: Wimberley State: TX Zip: 78676
Phone: _____

OWNER'S INFORMATION

Property Owner: Philip + Elizabeth Morley
Mailing Address: 180 Kingsway Dr. City: Wimberley State: TX Zip: 78676
Phone: _____

PROJECT SITE ADDRESS: 180 Kingsway Dr. Wimberley, TX
Legal description: Kingsway Sec. 1 Lot: 5
Total Acreage or Square Footage: 0.77 acres Deed recorded in: _____
Hays CAD Parcel ID R- R33202 Planning Area: 1 Zoning: R2

Is property located in an overlay district? ☐ Yes ☒ No If Yes, type: _____

SPECIFIC CONDITIONAL USE REQUEST: Short Term Rental

Applicant understands that the purpose of the Conditional Use Permit (CUP) process is to allow certain uses which are not specific; permitted uses within a zoning district. To be considered for a CUP, the requested use must be listed under "Conditional Uses" within the applicable zoning district.

UTILITIES

Electric Provider: PEC
Water provider or Private Well: Wimberley Water
Wastewater Service or Septic Permit No. NA

*If you have an On-Site Sewage Facility (OSSF) you can submit an open records request for your permit information if you do not have it.

CONDITIONAL USE PERMIT (CUP) SUBMITTAL CHECKLIST

- ☒ Complete "Conditional Use Permit Application"
- ☒ Metes and bounds description and/or survey exhibit
- ☒ Site Plan drawn to scale and showing the general arrangement of the project, together with essential requirements such as off-street parking facilities; size height, construction materials, and locations of buildings and the uses to be permitted; location and construction of signs; means of ingress and egress to public streets; the type of visual screening such as walls, plantings and fences
- ☒ Copy of the Original Deed(s)
- ☒ Payment of application fee (credit card payments, checks/money orders, cash exact change only)
- ☐ Agent authorization to represent property owner if applicable

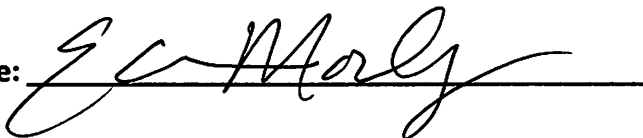
MY REQUEST IS BASED ON THE FOLLOWING:

- The use is harmonious and compatible with surrounding existing uses or proposed uses and does not adversely affect an adjoining site than would a permitted use.
- The use requested by the applicant is set forth as a conditional use in the base district.
- The nature of the use is reasonable.
- The conditional use does not adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area.
- The conditional use does not adversely affect an adjacent property by its resulting traffic through the location, or its lighting, or its type of sign; and
- That any additional conditions specified, if any, ensure that the intent and purposes of the base districts are being upheld.

SUBMITTAL VERIFICATION

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that City review of this Application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me, my firm, or agent, may delay the review of the Application. I authorize City of Wimberley Staff to visit and inspect the property for which this application is being submitted. I agree to attend or have a representative attend the Planning & Zoning Commission and City Council meetings. I have checked the subdivision plat notes, deed restrictions, restrictive covenants and/or zoning actions to ensure that there are no restrictions on the subject property and understand that the City zoning action does not relieve any obligation of these restrictions.

Applicant's Signature: _____



Date: _____

2-7-22

Forms & Applications October 2021 2

ADDITIONAL QUESTIONS AND LIST OF CONDITIONS THAT MAY BE INCLUDED IN A BED AND BREAKFAST/VACATION RENTAL CUP

OWNER: Philip & Elizabeth Morley

LOCATION OF PROPERTY: 180 Kingsway Dr. Wimberley, TX 78676

LEGAL DESCRIPTION: Kingsway Sec 1 Lot 5

PLANNING AREA: _____ PRESENT ZONING: _____

EXISTING USE: Our house

HOMEOWNERS ASSOCIATION CONTACT INFO: NA

SHARED FACILITIES (RIVER PARK, POOL, ETC.): NA

PROPERTY IN FLOODPLAIN? ☐ YES ☒ NO

GATED COMMUNITY OR PRIVATE STREET? ☐ YES ☒ NO

USE TO BE GRANTED: _____ *Bed & Breakfast* OR ☒ *Vacation Rental*

NEW CONSTRUCTION: (Describe existing construction) If new construction is contemplated: Describe new construction. The architecture and façade of all new construction will be traditional "Hill Country" design and harmonious with those of adjacent uses. No construction shall commence prior to compliance with all applicable ordinances, laws, rules, and regulations.

COMPATIBILITY TO NEARBY AREAS: The facilities on the property will always be harmonious and compatible with surrounding uses

OFF-STREET PARKING: All parking will be off-street. ☒ Off-street parking spaces will be provided for off-street guest parking, which will be adequate for a maximum occupancy of ~~2~~ 4 guests. Parking will be in these spaces only.

SIGNAGE: All signage will be of traditional "Hill Country" design and will comply with the City Sign Ordinance.

NOISE AND LIGHTING: Exterior lighting to be only landscape lighting. All noise audibles from outside, and all light visible from outside the property shall be maintained at low levels appropriate to a single-family neighborhood. No large parties are permitted.

NUMBER OF BEDROOMS: 3 **PROPOSED MAXIMUM OCCUPANCY:** ~~2~~ 4 guests.

Forms & Applications October 2021 3

OCCUPANT REGULATIONS AND GUIDELINES: Guest Guidelines are attached hereto and made a part of this Conditional Use Permit. The bed and breakfast lodging facility shall be operated in accordance with the guidelines. These guidelines shall be furnished to all guests.

WASTEWATER SYSTEM: The wastewater treatment system (to be designed and constructed) will always be adequate for the maximum occupancy.

WATERFRONT USAGE: (Applicable if guests have water access) Guests may only use the _____ River/Creek in the area directly adjacent to the bed and breakfast lodging facility. Guests may not use the River/Creek in front of other properties or enter upon any property which is not part of the bed and breakfast facility for the purpose of entering or exiting the water or for any other reason.

PROPERTY MANAGEMENT: Owner will provide guests and close-by neighbors with owner's telephone number to assure Owner's immediate knowledge of any concerns that may arise. (If not, owner occupied) Owner agrees to always retain under contract a responsible local management company the property is used as a non-owner-occupied bed and breakfast lodging. The management company shall advise guests of the applicable conditions contained herein, receive, and pass on to owner any complaints received and at owner's direction act upon such complaints. (If owner occupied) The property shall be the owner's principal place of residence and the owner shall actively always supervise and manage the property that it is used as a bed and breakfast facility.

MISCELLANEOUS: Owner agrees to maintain the property in a manner conducive to the health and safety of the guests and the neighborhood. All trash and garbage will be placed in provided receptacles which shall not be visible from the street except on pick-up day. No trash bags shall be left out in the open. The exterior of the facility and the landscaping, including lawns, will be always maintained in good condition.

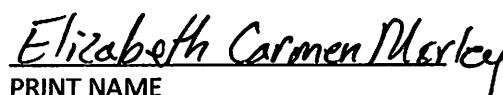
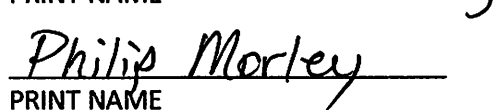
REVOCATION: The cup may be revoked by the City Council upon recommendation of the Planning and Zoning Commission in the event of the violation of any of the conditions contained therein.

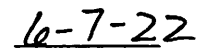
OWNER COMPLIANCE: Owners agree to comply with all City of Wimberley Ordinances, and all state, county and City laws, rules, and regulations.

ACCEPTED AND AGREED TO:


OWNER SIGNATURE

OWNER SIGNATURE


PRINT NAME

PRINT NAME


DATE

DATE

MAP OF A SURVEY OF LOT 5, KINGSWAY SUBDIVISION HAYS COUNTY, TEXAS

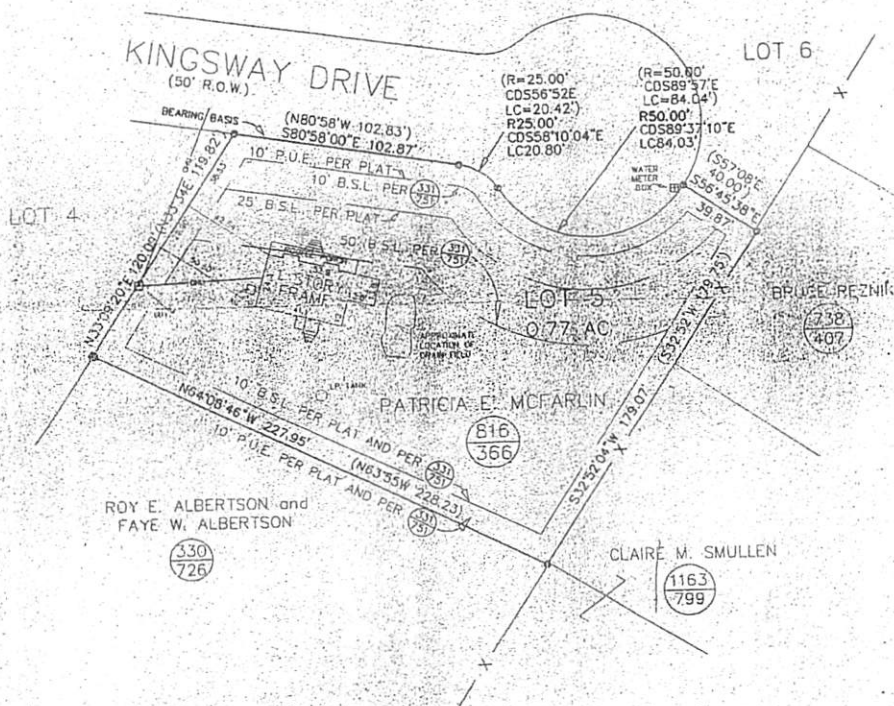
2
89

LEGEND

- IRON STAKE (FOUND)
- OHU — OVERHEAD UTILITY LINES
- F — FENCE LINE
- B.S.L. BUILDING SETBACK LINE
- P.U.E. PUBLIC UTILITY EASEMENT
- () DENOTES RECORD INFORMATION
- (82) HAYS COUNTY DEED RECORDS
- (84) HAYS COUNTY PLAT RECORDS



SCALE 1"=50'



ACCORDING TO FEMA FLOOD INSURANCE RATE MAP COMMUNITY PANEL #48209C0160E DATED FEB. 18, 1998, THIS LOT LIES WITHIN ZONE "X". AREAS DETERMINED TO BE OUTSIDE THE 500 YEAR FLOODPLAIN.

THIS MAP WAS PREPARED IN CONJUNCTION WITH TITLE INSURANCE POLICY COMMITMENT GF#9961114 PROVIDED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY OF SAN MARCOS, TEXAS, AND IS SUBJECT TO THOSE EASEMENTS, COVENANTS, CONDITIONS, AND RESTRICTIONS, WHICH APPLY, IF ANY, CITED THEREIN.

I, C. MARK RODEN, A TEXAS REGISTERED PROFESSIONAL LAND SURVEYOR, CERTIFY THAT THIS MAP WAS PREPARED FROM A SURVEY MADE ON THE GROUND DURING APRIL, 1999, UNDER MY DIRECTION, AND THAT I FOUND NO VISIBLE DISCREPANCIES, CONFLICTS, ENCROACHMENTS OR PROTRUSIONS, OR ANY VISIBLE OVERLAPPING OF IMPROVEMENTS OTHER THAN AS SHOWN OR NOTED.

C. MARK RODEN
REGISTERED PROFESSIONAL LAND SURVEYOR #4288

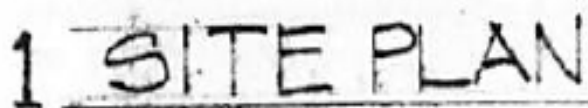


CLIENT: ADAMS, PAT
DATE: APRIL 27, 1999
JOB NO.: 99-11285
FB/PG: 428/50

Patricia E. McFarlin
8/25/05



CMR PRO-TECH SURVEYING
P.O. BOX 673
Wimberley, Texas 78676
(512) 847-5156



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AGENDA ITEM:	5.2 Beer and Wine off-premise
SUBMITTED BY:	Nathan Glaiser, Planning and Development Coordinator
DATE SUBMITTED:	July 15, 2022
MEETING DATE:	August 11, 2022

REPORT

ITEM

The applicant, Pecos Jane LLC, is requesting a Conditional Use Permit to allow for the sale of beer and wine for off-premises consumption at a property located at 13620 Ranch Road 12. They plan to open up a small market downtown selling general retail goods along with canned beer and bottled wine. This property is within the City Center Overlay and is connected to City Sewer. There is adequate parking on the property for the request.

PROPERTY INFORMATION

Property Description

Applicant(s):	Pecos Jane, LLC
Property Address:	13620 Building D Ranch Road 12
Property Owner:	Douglas Oldmixon & Jo-dee Benson
Legal Description:	Charles Oldham Subdivision Lot 2 & 6
Property Size:	.57 acres
Existing Use of Property:	The building to be used is currently vacant.
Existing Zoning:	Commercial Low Impact 1
Shared Infrastructure	None
Request:	Beer and Wine sales for off-premises consumption
Planning Area:	IV
Overlay District:	City Center

Surrounding Property:

Frontage: Ranch Road 12

		Current Zoning:	Existing Land Use:
Surrounding Zoning & Land Use	North of Property	C2	Commercial
	South of Property	C1	Commercial

COMMENTS

Staff has not received any comments from citizens regarding this request.

LEGAL NOTICE

Surrounding Neighbor Notification Letters (200'): 7/27/22

Published Legal Notice (Wimberley View): 7/28/22

RECOMMENDATION

Staff recommends approval of this application with consideration given to neighbors most affected by this request.

CRITERIA FOR CONSIDERATION

(A) The use is harmonious and compatible with surrounding existing uses or proposed uses, and does not more adversely affect an adjoining site than would a permitted use;

(B) The architecture, facade, and signage designs of the use are traditional Hill Country designs and are harmonious with those of adjacent uses. In the case of chain establishments, they shall not include or simulate the signature designs of those establishments beyond the absolute minimum necessary to identify the establishment;

(C) The use requested by the applicant is set forth as a conditional use in the base district;

(D) The nature of the use is reasonable;

(E) The conditional use does not adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area;

(F) The conditional use does not adversely affect an adjacent property by its resulting traffic through the location, or its lighting, or its type of sign; and

(G) Any additional conditions specified, if any, ensure that the intent and purposes of the base district are being upheld.

Possible Motions can include:

- Motion to approve CUP-22-009
- Motion to approve CUP-22-009 with the following conditions (list all conditions)
- Motion to deny CUP-22-009

ATTACHMENT/S

- Application



Conditional Use Permit
Planning & Development

FOR OFFICE USE ONLY

Date: 7/15/22 CUP - 22 - 009 Staff Review _____
P&Z Hearing: 8/11/22 Council Hearing: 8/18/22 Fees Paid (\$650): 4 ⁺¹⁵⁰

Applicant: Pecos Jane LLC
Mailing Address: 13620 Ranch Road 12 City: Wimberley State: TX Zip: 78676
Phone: [REDACTED]
OWNER'S INFORMATION
Property Owner: Douglas Oldmixon & Jo-Dee Benson
Mailing Address: 3005 SLAMAR BLVD SUITE 109-401 City: AUSTIN State: TX Zip: 78704
Phone: [REDACTED]

PROJECT SITE ADDRESS: 13620 Building D Ranch Road 12 Wimberley
Legal description: ABS 401 Charles Oldham sub A Turner survey (LT & W 1/2 of 6)
Total Acreage or Square Footage: 0.57 Deed recorded in: _____
Hays CAD Parcel ID R- 18385 Planning Area: IV Zoning: C1
Is property located in an overlay district? ☒ Yes ☐ No If Yes, type: city center
SPECIFIC CONDITIONAL USE REQUEST: beer & wine sales off premise consumption
Applicant understands that the purpose of the Conditional Use Permit (CUP) process is to allow certain uses which are not specific; permitted uses within a zoning district. To be considered for a CUP, the requested use must be listed under "Conditional Uses" within the applicable zoning district.

UTILITIES

Electric Provider: Perdona Electric
Water provider or Private Well: Wimberley Water
Wastewater Service or Septic Permit No. city sewer

*If you have an On-Site Sewage Facility (OSSF) you can submit an open records request for your permit information if you do not have it.

CONDITIONAL USE PERMIT (CUP) SUBMITTAL CHECKLIST

- ☒ Complete "Conditional Use Permit Application"
- ☒ Metes and bounds description and/or survey exhibit
- ☒ Site Plan drawn to scale and showing the general arrangement of the project, together with essential requirements such as off-street parking facilities; size height, construction materials, and locations of buildings and the uses to be permitted; location and construction of signs; means of ingress and egress to public streets; the type of visual screening such as walls, plantings and fences
- ☒ Copy of the Original Deed(s)
- ☒ Payment of application fee (credit card payments, checks/money orders, cash exact change only)
- ☒ Agent authorization to represent property owner if applicable

MY REQUEST IS BASED ON THE FOLLOWING:

- The use is harmonious and compatible with surrounding existing uses or proposed uses and does not adversely affect an adjoining site than would a permitted use.
- The use requested by the applicant is set forth as a conditional use in the base district.
- The nature of the use is reasonable.
- The conditional use does not adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area.
- The conditional use does not adversely affect an adjacent property by its resulting traffic through the location, or its lighting, or its type of sign; and
- That any additional conditions specified, if any, ensure that the intent and purposes of the base districts are being upheld.

SUBMITTAL VERIFICATION

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that City review of this Application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me, my firm, or agent, may delay the review of the Application. I authorize City of Wimberley Staff to visit and inspect the property for which this application is being submitted. I agree to attend or have a representative attend the Planning & Zoning Commission and City Council meetings. I have checked the subdivision plat notes, deed restrictions, restrictive covenants and/or zoning actions to ensure that there are no restrictions on the subject property and understand that the City zoning action does not relieve any obligation of these restrictions.

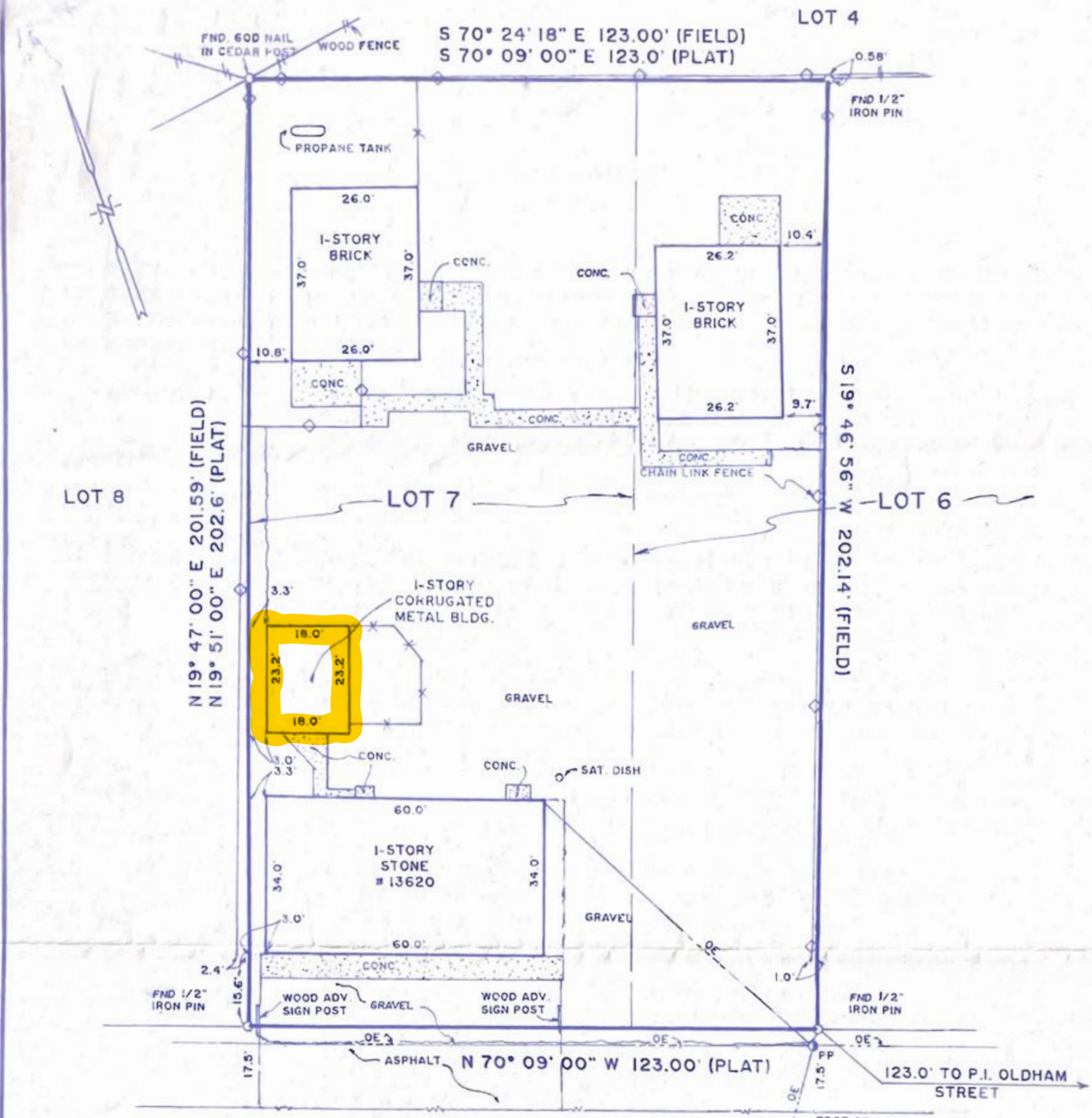
Applicant's Signature: _____



Date: _____

7.14.22

Forms & Applications October 2021 2



POWERLINE ESM'T GRANTED TO TEXAS
POWER & LIGHT COMPANY (VOL. 117, PG.
317)

R. R. # 12

60' R.O.W.

LOT 7 & WEST HALF LOT 6

SUBDIVISION CHARLES OLDHAM SUBDIVISION

ADDRESS 13620 R. R. # 12

CITY _____

COUNTY HAYS **STATE** TEXAS

REFERENCE

VOL <u>142</u>	PG <u>426</u>	VOL _____	PG _____
VOL <u>117</u>	PG <u>317</u>	VOL _____	PG _____
VOL _____	PG _____	VOL _____	PG _____

Scale: 1" = 30'
G. F. No.: 96080071



PROFESSIONAL
LAND SURVEYORS
12915 JONES MALTSBERGER
SUITE 401
SAN ANTONIO, TEXAS 78247
(210) 490-9963



**STATE OF TEXAS
COUNTY OF BEXAR**

I HEREBY CERTIFY THAT THE ABOVE PLAT IS TRUE AND
CORRECT ACCORDING TO AN ACTUAL SURVEY MADE ON THE
GROUND UNDER MY SUPERVISION AND THAT THERE ARE NO
VISIBLE EASEMENTS OR ENCROACHMENTS OF BUILDINGS ON
ADJOINING PROPERTY AND THAT ALL BUILDINGS ARE WHOLLY
LOCATED ON THIS PROPERTY EXCEPT AS SHOWN ABOVE.

THIS 18 DAY OF May 19 98 A.D.

Joseph H. Cash

FLOOD INSURANCE STATEMENT:

This property is not
situated within a special
flood hazard area as identified
by F.I.R.M. map no.
480321 0160 B

Effective Date: 6-16-93

Zone: X

JOB NO. 96-1120

Scale
1" = 40'

Billingsley Tract
V. 328 P. 879 - HCDR

Burdette Tract
Doc. # 13016076 - OPRHC

Burdette Tract
Doc. # 070009511 - OPRHC

Wimberley Christian Church Tract
V. 377 P. 330 - HCDR

Wimberley Clear Water
Properties LLC
V. 2125 P. 61 - OPRHC

Ranch Road # 12
Texas State Highway 880

Oldham Street

Legend

- OPRHC
Official Public Records of Hays County
- HCDR
Hays County Deed Records
- < > Data from recorded documents
V. 142 P. 424 - HCDR
- () Data from recorded document # 21029853
- OPRHC
Chainline
- Woodline
- Overlaid Powerline
- Powerpole
- Asphalt or Gravel Driveway
- Sewer Valve

8.5 X 20'
HC
PARKING

