



City of Wimberley

221 Stillwater, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING

WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676

THURSDAY, NOVEMBER 16, 2023 - 6:00 PM

AGENDA

1. **CALL TO ORDER** November 16, 2023, at 6:00 PM

2. **CALL OF ROLL**

3. **INVOCATION**

4. **PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG**

5. **CITIZENS COMMUNICATIONS**

The City Council welcomes comments from citizens at regular meetings. Citizens wishing to speak must sign up prior to the meeting being called to order. We abide by the Texas Open Meetings Act, so council members are allowed only to speak about items posted on the agenda. All other inquiries will be forwarded to staff and may be placed on a future agenda for discussion. Speakers will have one opportunity to speak during the time period, and they must observe the three-minute time limit. After you state your name, staff will start the timer and you have 3 minutes to speak. We will endeavor to ensure that meetings are conducted in a courteous manner, and in an atmosphere free of defamation, intimidation, personal affronts, profanity, or threats of violence.

6. **CONSENT AGENDA**

6.1. Consider approval of the following minutes:

- a. November 2, 2023 Regular City Council Meeting
- b. November 6, 2023 Joint City Council and Planning and Zoning Commission Meeting

6.2. Approval of the October 2023 Revenue and Expenditure Report for the City of Wimberley. *(Tim Patek, City Administrator)*

7. **PRESENTATION AND POSSIBLE ACTION**

7.1. Discuss and consider action on the naming of the City Facility located at 280 Old Kyle Road and receive an update regarding preliminary plans. *(Leanne Kirby, Tourism Director)*

8. **PUBLIC HEARINGS AND POSSIBLE ACTION**

8.1. Hold a Public Hearing and consider action on Ordinance 2023-34, an application for a Conditional Use Permit (CUP-23-014) to allow for the operation of a Vacation Rental (STR2) at 213 Blue Hole,

Wimberley, Texas. *(Nathan Glaiser, Director of Planning & Public Works)*

- 8.2. Hold a Public Hearing and consider action on Ordinance 2023-35, an application for a Conditional Use Permit (CUP-23-015) to allow for the operation of a Vacation Rental (STR2) at 900 FM 2325, Wimberley Texas. *(Nathan Glaiser, Director of Planning & Public Works)*
- 8.3. Hold a Public Hearing and consider action on Ordinance 2023-36, an application for a Conditional Use Permit (CUP-23-016) to allow for the operation of a Vacation Rental (STR2) at 100 Box Canyon, Wimberley Texas. *(Nathan Glaiser, Director of Planning & Public Works)*
- 8.4. Hold a public hearing and consider action on Ordinance 2023-37 an application for a zoning amendment (ZA-23-005) to change the zoning for a property located at 151 Old Kyle Rd, Wimberley, TX, from Commercial Low Impact (C-1) to Commercial High Impact (C-3). *(Nathan Glaiser, Director of Planning and Development Services)*

9. DISCUSSION AND POSSIBLE ACTION

- 9.1. Discuss and consider action on the Personnel Policy for the City of Wimberley. *(Tim Patek, City of Wimberley)*
- 9.2. Discuss and consider possible action on Resolution No. 14-2023, designating authorized signatories for contractual and financial documents pertaining to the Community Development Block Grant Mitigation (CDBG-MIT) Resilient Communities Program through the General Land Office.
- 9.3. Discuss and consider possible action on a Resolution and/or Council Letter to Texas State University expressing support for a public/parks use for the Texas State University Camp.

10. CITY COUNCIL REPORTS

- 10.1. Announcements
- 10.2. Future Agenda Items

11. ADJOURNMENT

EXECUTIVE SESSION NOTE: The City Council may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion. The City Council may also publicly discuss any item listed on the agenda for Executive Session

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. 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 November 13, 2023, by 6:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.



Tammy Heller, City Secretary

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 Heller at (512) 648-2403 two business days in advance of the meeting for appropriate arrangements.





AGENDA ITEM:	1. Consider approval of the following minutes: a. November 2, 2023 Regular City Council Meeting b. November 6, 2023 Joint City Council and Planning and Zoning Commission Meeting
SUBMITTED BY:	Tammy Heller
DATE SUBMITTED:	11/08/2023
MEETING DATE:	November 16, 2023

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

REQUESTED ACTION

Motion

FINANCIAL

N/A

STAFF RECOMMENDATION

Consider minutes as presented, or amend if necessary.

ATTACHMENT/S

1. 11-02-2023 Regular Meeting Minutes
2. 11-06-2023 Special Meeting Minutes



City of Wimberley

221 Stillwater, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING

WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676

THURSDAY, NOVEMBER 2, 2023 - 6:00 PM

MINUTES

1. CALL TO ORDER

November 2, 2023, at 6:00 PM

Mayor Pro Tem Rebecca Minnick called the Regular Meeting to order at 6:00 p.m.

2. CALL OF ROLL

Council Members Present:

Rebecca Minnick, Place 1
Teresa Shell, Place 2
Chris Sheffield, Place 3
Jim Chiles, Place 4
David Cohen, Place 5

Council Members Absent:

Gina Fulkerson, Mayor

Staff Members Present:

Tim Patek, City Administrator
Tammy Heller, City Secretary
Nathan Glaiser, Director of Planning & Public Works
Richard Shaver, Director of Parks & Recreation
Bryce Burkhalter, Natural Resource & Maintenance Manager
Erica Flocke, Park Operations Manager
Leanne Kirby, Tourism Director
Charlie Zech, City Attorney

3. INVOCATION

Kevin Schubert, St. Stephens Episcopal

4. PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

Mayor Pro Tem Minnick led the pledges of allegiance.

5. CITIZENS COMMUNICATIONS

No comments this evening.

6. CONSENT AGENDA

A motion was made by Council Member Cohen, seconded by Council Member Sheffield to approve the consent agenda. The motion carried unanimously (5-0).

- 6.1. Consider approval of the October 19, 2023 Regular City Council Meeting Minutes. (*Tammy Heller, City Secretary*)

7. PRESENTATION AND POSSIBLE ACTION

- 7.1. Receive an update from Greg Webb on the Dark Sky International Award. *(Richard Shaver, Parks and Recreation Director)*

Greg Webb, Chair of Wimberley Valley Dark Sky Committee, provided a short history of the committee and stated that Wimberley was designated a dark sky community in 2018. The annual "Under One Sky" Global Conference will be held this week and he announced that Wimberley would receive the International Dark Sky Community of the year award at this event. He explained the process and effort that was put in to become a designated dark sky community and he expressed his appreciation to the committee for their hard work in this process. Mr. Webb also expressed his appreciation to the Wimberley Valley Radio Station and the Wimberley View for their help with marketing and partnering with their organization. Mr. Webb stated the committee would begin a weekly night sky forecast on the radio. The council expressed their appreciation to the committee.

- 7.2. Discuss and consider possible action regarding a new logo and vision statement for the Wimberley Parks and Recreation Department. *(Richard Shaver, Parks and Recreation Director)*

Richard Shaver, provided the proposed vision statement and logo for the Wimberley Parks and Recreation Department. The proposed vision statement: Wimberley Parks and Recreation CARES - - We build Community! We ensure Accessibility! We provide Recreation! We support Education! We promote Sustainability!

The council members expressed their support of the new logo and statement and expressed their appreciation for the work staff has put into this project. Council Member Cohen suggested adding stars or a dark sky within the logo.

A motion was made by Council Member Chiles, seconded by Council Member Shell, to approve the new logo and vision statement for the Parks and Recreation Department as presented. The motion carried unanimously (5-0).

- 7.3. Receive an update and hold discussion on current water conservation efforts in the City. *(Rebecca Minnick, Mayor Pro Tem)*

Mayor Pro Tem Minnick introduced this item and noted that the City of Boerne won the Excellence Award at the Texas Municipal League Conference for their Water Data Dashboard project. She provided a brief update on the Boerne Water Data dashboard and illustrated the features. The dashboard allows citizens to see utility, surface water, rain & drought, groundwater and reclaimed water data on a daily basis. Mayor Pro Tem Minnick spoke about the One Water Conference in Boerne last week and their efforts in conserving and re-using water. She stated that one development will have 2500 homes built, so the City of Boerne is working with the developer and a side by side reclaimed and potable water system will be built for this subdivision. Mayor Pro Tem Minnick went on to explain that the platform Boerne uses may be accessible to other communities, like Wimberley, and discussions will continue with various stakeholders and partners for possible implementation. This will help get the word out about conservation and for our citizens to be aware of our current water situation. She stated that Mayor Fulkerson and Nick Dornak provided a presentation on the Blue Hole Primary School One Water system. She stated there is a lot of awareness about conservation and all the communities in our area need to work together. Mayor Pro Tem Minnick attended the Edwards Aquifer Authority (EAA) Summit in San Antonio and stated the EAA has more jurisdiction and authority than we do in our area. We could use this as a guide to help our communities work together and be more proactive in our conservation measures.

Council Member Cohen attended a virtual meeting hosted by David Baker and it was stated the Blue Hole Primary School One Water System collects 1,000 gallons of water per day from air conditioning condensate. He also stated the City needs to work on steps that can be taken to get AquaTexas into compliance and to be a better partner. Mayor Pro Tem Minnick stated the Hays Trinity Groundwater Conservation District and the Trinity Edwards Springs Protection Association are working on addressing some of these concerns.

Council Member Sheffield stated the water data dashboard could be managed by the Cypress Creek Watershed Coordinator position that was recently funded by the City of Wimberley, Hays County, the City of Woodcreek, the Watershed Association and the Meadows Center for Water and the Environment.

8. PUBLIC HEARINGS AND POSSIBLE ACTION

- 8.1.** Hold a Public Hearing and consider action on Ordinance 2023-32, repealing Ordinance 2009-053 On-Site Sewage Facility Regulations and providing for findings of fact, savings, severability, repealer, effective date, and property notice and meeting. (*Nathan Glaiser, Director of Planning & Public Works*)

Nathan Glaiser, Director of Planning and Public Works, provided an update on the proposed amendment to the On-Site Sewage Facility (OSSF) Regulations and the desire to repeal this ordinance in its entirety. The City will contract with Hays County to perform plan reviews, inspections, and to enforce the City's OSSF regulations. He provided the differences and similarities within the City and County Ordinance.

Questions were posed by the Council related to enforcement, violations reporting, lot size requirements, and the ability for citizens to access county services.

Mayor Pro Tem Minnick opened the Public Hearing at 6:45 p.m. There being no comments, Mayor Pro Tem Minnick closed the Public Hearing at 6:45 p.m.

A motion was made by Council Member Sheffield, seconded by Council Member Chiles to approve Ordinance 2023-32, as presented. The motion carried unanimously (5-0).

9. DISCUSSION AND POSSIBLE ACTION

- 9.1.** Consider possible action on Ordinance 2023-33, amending Chapter 2, Article 2.04 – Boards, Commissions and Committee, Section 2.04.005 - The Hotel Occupancy Tax Advisory Committee of the Wimberley City Code of Ordinances; and providing for findings of fact, savings, severability, repealer, and effective date, and proper notice and meeting. (*Tim Patek, City Administrator*)

Tim Patek, City Administrator, provided an update on the proposed revisions to the Hotel Occupancy Tax Advisory Committee Ordinance. This proposed change helps the city come into compliance with best practices and provides a clearer charge for the committee. Council Member Sheffield identified a discrepancy in the ordinance and asked that (C) *Responsibilities* (4) be updated to read biannually instead of quarterly. The council concurred.

Upon completion of discussion, a motion was made by Mayor Pro Tem Minnick, seconded by Council Member Chiles to approve Ordinance 2023-33, as presented and with the proposed change as recommended. The motion carried unanimously (5-0).

- 9.2.** Consider possible action on Resolution No. 13-2023, authorizing the submission of a Solid Waste Program Grant application to the Capital Area Council of Governments (CAPCOG); and authorizing the City Administrator to act as the authorized representative in all matters pertaining to the city's participation in the Solid Waste Grant Program.

Mayor Pro Tem Minnick introduced this item and stated she approached Keep Wimberley Beautiful about this grant and ideas were discussed regarding this grant. City Administrator, Tim Patek met with Keep Wimberley Beautiful as well and discussed the possibility of a tire disposal event. However, the minimum for the grant is \$10,000 and to meet this threshold it would require at least three containers. The consensus from Keep Wimberley Beautiful was to continue with the Spring Clean Up event that is happening next year and discuss if something different is needed.

Discussion was held on eligible projects, minimum grant limits, and community needs.

Upon completion of discussion, a motion was made by Council Member Cohen, seconded by Council

Member Sheffield to approve Resolution No. 13-2023 as presented. The motion failed with a vote of 1 in favor (Cohen) and 4 in opposition.

10. CITY COUNCIL REPORTS

10.1. Announcements

The following announcements were made:

1. Progress on Sidewalk Grant
2. Progress on Resilient Communities Grant
3. Reminder of Historic Preservation Training

10.2. Future Agenda Items

None.

11. ADJOURNMENT

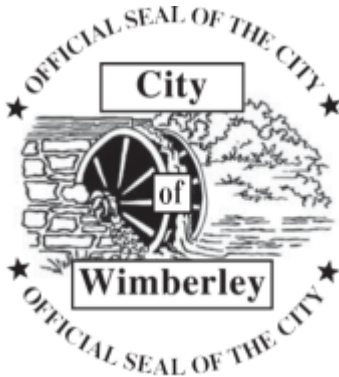
A motion was made by Council Member Cohen, seconded by Council Member Chiles, to adjourn the regular meeting at 7:17 p.m. The motion carried unanimously (5-0).

RECORDED BY:

Tammy Heller, City Secretary

APPROVED BY:

Rebecca Minnick, Mayor Pro Tem





City of Wimberley

221 Stillwater, Wimberley, Texas 78676

SPECIAL CITY COUNCIL MEETING
CITY COUNCIL & PLANNING AND ZONING COMMISSION TRAINING
MONDAY, NOVEMBER 6, 2023 - 12:00 PM

MINUTES

1. **CALL TO ORDER** November 6, 2023, at 12:00 PM

Mayor Pro Tem Minnick called the Special Meeting to order at 12:01 p.m.

2. **CALL OF ROLL**

Council Members Present:

Rebecca Minnick, Mayor Pro Tem
Teresa Shell, Place 2
Jim Chiles, Place 4
David Cohen, Place 5

Council Members Absent:

Gina Fulkerson, Mayor
Chris Sheffield, Place 3

Planning and Zoning

Commissioners Present:

Austin Weeks - arrived after roll call
at 12:04 p.m.
David Hester
Bob Clark
Anne Ulfelder
Vance McCracken
Jerry Lunow
Michael Rambo

City Staff Present:

Tim Patek, City Administrator
Nathan Glaiser, Director of
Planning and Public Works
Tammy Heller, City Secretary

3. **PRESENTATION AND POSSIBLE ACTION**

- 3.1. Receive and participate in a Historic Preservation Commission Training with consultants from Post Oak Preservation Solutions.

The City Council and Planning and Zoning Commission (PZC) participated in a Historic Preservation Commission training session led by Anne McGlone and Ellis Mumford-Russell, representatives of Post Oak Preservation Solutions. The Planning and Zoning Commission will serve as the City's Historic Preservation Commission. Topics discussed included the legal authority of the Historic Preservation Commission, the regulations which can be found in Chapter 211 of the Local Government Code, the process for applications, reviewing and that the decision of the commission must be supported by the finding of facts. Ms. McGlone also reviewed the City's design guidelines within the Historic District.

Questions and comments were asked of the representatives related to the application process, incentives, and property value within the district.

4. **ADJOURNMENT**

A motion was made by Council Member Chiles, seconded by Council Member Shell, to adjourn the special meeting at 1:55 p.m. The motion carried.

RECORDED BY:

Tammy Heller, City Secretary

APPROVED BY:

Rebecca Minnick, Mayor Pro Tem





AGENDA ITEM:	2. Approval of the October 2023 Revenue and Expenditure Report for the City of Wimberley. <i>(Tim Patek, City Administrator)</i>
SUBMITTED BY:	Tim Patek
DATE SUBMITTED:	11/08/2023
MEETING DATE:	November 16, 2023

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

October 2023 Revenue and Expenditure Report

REQUESTED ACTION

Motion

FINANCIAL

The Revenue and Expense Report for October 2023 is attached for review.

STAFF RECOMMENDATION

ATTACHMENT/S

1. October Revenue & Expense Report

City of Wimberley
Revenue And Expense Report
As of October 31, 2023

11/13/2023 9:53 AM

100 - General Fund	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
Revenue Summary							
15-Administration	176,971.87	176,971.87	1,857,950.00	1,680,978.13	90.47%	198,095.11	2,104,750.11
51-Community Center	694.04	694.04	35,000.00	34,305.96	98.02%	0.00	34,340.00
Revenue Totals	<u>177,665.91</u>	<u>177,665.91</u>	<u>1,892,950.00</u>	<u>1,715,284.09</u>	<u>90.61%</u>	<u>198,095.11</u>	<u>2,139,090.11</u>
Expense Summary							
15-Administration	89,872.32	89,872.32	727,450.00	637,577.68	87.65%	93,798.67	677,582.37
16-Legal	8,168.85	8,168.85	80,000.00	71,831.15	89.79%	3,243.76	54,612.72
17-Council/Board	1,373.93	1,373.93	99,500.00	98,126.07	98.62%	19,872.47	97,459.99
18-Building	0.00	0.00	45,000.00	45,000.00	100.00%	1,263.75	56,703.17
21-Public Safety	7,400.00	7,400.00	101,000.00	93,600.00	92.67%	2,385.00	84,525.00
30-Public Works	22,808.56	22,808.56	312,150.00	289,341.44	92.69%	14,067.14	223,739.39
31-Roads	307.24	307.24	321,500.00	321,192.76	99.90%	841.79	81,938.76
33-Water/Wastewater	0.00	0.00	2,000.00	2,000.00	100.00%	465.00	1,923.00
51-Community Center	12,963.68	12,963.68	194,850.00	181,886.32	93.35%	9,408.82	164,070.39
52-Parks	91.69	91.69	9,500.00	9,408.31	99.03%	243.47	8,928.73
Expense Totals	<u>142,986.27</u>	<u>142,986.27</u>	<u>1,892,950.00</u>	<u>1,749,963.73</u>	<u>92.45%</u>	<u>145,589.87</u>	<u>1,451,483.52</u>
Revenues Over(Under) Expenditures	<u>34,679.64</u>	<u>34,679.64</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00%</u>	<u>52,505.24</u>	<u>687,606.59</u>

City of Wimberley
Revenue and Expense Report
As of October 31, 2023

11/13/2023 9:53 AM

100 - General Fund Department Revenue	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
15-Administration							
<u>Tax Revenue</u>							
15-5120 General Sales & Use Tax	119,605.70	119,605.70	1,435,000.00	1,315,394.30	91.67%	117,276.20	1,532,243.84
15-5131 Mixed Beverage Tax	6,723.69	6,723.69	60,000.00	53,276.31	88.79%	5,950.58	85,873.02
15-5171 Franchise Tax	44,311.18	44,311.18	255,000.00	210,688.82	82.62%	67,878.33	306,659.44
Total Tax Revenue	170,640.57	170,640.57	1,750,000.00	1,579,359.43	90.25%	191,105.11	1,924,776.30
<u>Licenses & Permits</u>							
15-5211 Beer & Wine Permits	0.00	0.00	3,000.00	3,000.00	100.00%	0.00	4,010.00
15-5212 Food Permits	0.00	0.00	13,000.00	13,000.00	100.00%	75.00	11,885.00
15-5213 Septic Permits	900.00	900.00	10,000.00	9,100.00	91.00%	1,475.00	14,320.00
15-5219 Sign Permits	140.00	140.00	1,000.00	860.00	86.00%	85.00	1,085.00
15-5221 Building Permits	2,741.30	2,741.30	28,250.00	25,508.70	90.30%	1,566.42	34,533.85
Total Licenses & Permits	3,781.30	3,781.30	55,250.00	51,468.70	93.16%	3,201.42	65,833.85
<u>Service Fees</u>							
15-5413 Zoning	0.00	0.00	12,000.00	12,000.00	100.00%	1,217.00	23,582.50
15-5414 Subdivision Fees	0.00	0.00	2,700.00	2,700.00	100.00%	0.00	1,288.25
15-5416 Building Inspections	2,250.00	2,250.00	25,000.00	22,750.00	91.00%	1,430.00	29,832.95
15-5417 Bldg Plan Reviews	300.00	300.00	10,000.00	9,700.00	97.00%	300.00	15,166.31
Total Service Fees	2,550.00	2,550.00	49,700.00	47,150.00	94.87%	2,947.00	69,870.01
<u>Other Income</u>							
15-5611 Interest Revenues	0.00	0.00	2,000.00	2,000.00	100.00%	705.87	16,182.94
15-5701 Other/Misc	0.00	0.00	1,000.00	1,000.00	100.00%	135.71	28,087.01
Total Other Income	0.00	0.00	3,000.00	3,000.00	100.00%	841.58	44,269.95

City of Wimberley
Revenue and Expense Report
As of October 31, 2023

11/13/2023 9:53 AM

100 - General Fund Department Revenue	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
Total Administration	176,971.87	176,971.87	1,857,950.00	1,680,978.13	90.47%	198,095.11	2,104,750.11
<u>51-Community Center</u>							
<u>Service Fees</u>							
51-5475 WCC Facility Rentals	694.04	694.04	35,000.00	34,305.96	98.02%	0.00	34,340.00
Total Service Fees	694.04	694.04	35,000.00	34,305.96	98.02%	0.00	34,340.00
Total Community Center	694.04	694.04	35,000.00	34,305.96	98.02%	0.00	34,340.00
Total Revenue	177,665.91	177,665.91	1,892,950.00	1,715,284.09	90.61%	198,095.11	2,139,090.11

City of Wimberley
Revenue and Expense Report
As of October 31, 2023

11/13/2023 9:53 AM

100 - General Fund Department Expense	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
15-Administration							
<u>Personnel Services</u>							
15-6105 Salaries & Wages Full-Time	10,846.46	10,846.46	287,000.00	276,153.54	96.22%	0.00	0.00
15-6110 S & W - City Administrator	5,000.00	5,000.00	0.00	(5,000.00)	0.00%	9,976.99	129,976.99
15-6120 S & W - City Secretary	3,346.15	3,346.15	0.00	(3,346.15)	0.00%	6,692.30	87,000.00
15-6130 S & W - Finance Coordinator	2,092.80	2,092.80	0.00	(2,092.80)	0.00%	4,264.08	54,739.80
15-6135 S & W - HOT	625.00	625.00	0.00	(625.00)	0.00%	1,250.00	16,250.00
15-6210 Health Care	2,109.01	2,109.01	31,500.00	29,390.99	93.30%	1,830.97	22,581.85
15-6220 Payroll Taxes	1,634.41	1,634.41	21,700.00	20,065.59	92.47%	1,674.73	21,503.30
15-6230 TMRS Contribution	1,435.13	1,435.13	18,700.00	17,264.87	92.33%	1,322.13	18,413.49
15-6250 Unemployment Compensation	0.00	0.00	300.00	300.00	100.00%	0.00	38.25
15-6251 Workers Compensation	0.00	0.00	750.00	750.00	100.00%	0.00	0.00
Total Personnel Services	27,088.96	27,088.96	359,950.00	332,861.04	92.47%	27,011.20	350,503.68
<u>Other Services & Charges</u>							
15-6270 Annual/Assoc Dues	0.00	0.00	4,500.00	4,500.00	100.00%	304.15	3,253.52
15-6340 Technology Consultant	0.00	0.00	11,000.00	11,000.00	100.00%	4,183.74	9,359.72
15-6370 Contract Services	0.00	0.00	35,000.00	35,000.00	100.00%	5,420.00	19,240.06
15-6411 Telephones	150.87	150.87	0.00	(150.87)	0.00%	307.66	5,280.34
15-6420 Office Cleaning	575.00	575.00	7,000.00	6,425.00	91.79%	575.00	6,756.25
15-6443 Equipment Rent/Right-To-Use Lease	157.68	157.68	9,500.00	9,342.32	98.34%	1,164.91	9,077.64
15-6520 Insurance	45,132.92	45,132.92	35,000.00	(10,132.92)	(28.95%)	30,041.90	31,041.90
15-6531 Public Notices	592.12	592.12	7,000.00	6,407.88	91.54%	363.83	5,577.22
15-6532 Office Tech/Software	12,655.59	12,655.59	60,000.00	47,344.41	78.91%	20,223.01	64,451.00

City of Wimberley
Revenue and Expense Report
As of October 31, 2023

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100 - General Fund Department Expense	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
15-6551 Printing	0.00	0.00	300.00	300.00	100.00%	14.00	346.88
15-6569 Vehicle Allowance/Moving Exp	1,300.00	1,300.00	15,600.00	14,300.00	91.67%	400.00	10,300.00
15-6570 Travel	661.08	661.08	5,000.00	4,338.92	86.78%	0.00	664.88
15-6571 Mileage	0.00	0.00	1,000.00	1,000.00	100.00%	0.00	0.00
15-6572 Training	215.00	215.00	5,000.00	4,785.00	95.70%	729.90	4,199.23
15-6581 Refunds	0.00	0.00	2,000.00	2,000.00	100.00%	300.00	825.00
15-6589 Records Management	209.00	209.00	2,600.00	2,391.00	91.96%	378.00	2,657.00
15-6651 Postage	250.00	250.00	1,500.00	1,250.00	83.33%	32.84	1,331.41
Total Other Services & Charges	61,899.26	61,899.26	202,000.00	140,100.74	69.36%	64,438.94	174,362.05
<u>Supplies & Maintenance</u>							
15-6410 Utilities	480.52	480.52	18,000.00	17,519.48	97.33%	1,354.95	15,115.38
15-6430 Bldg Repairs/Maintenance	0.00	0.00	3,000.00	3,000.00	100.00%	0.00	3,909.34
15-6610 General Operating Supplies	0.00	0.00	4,500.00	4,500.00	100.00%	651.04	3,368.41
15-6660 Office Supplies	403.58	403.58	3,000.00	2,596.42	86.55%	342.54	2,034.91
15-6791 Capital Outlay - Technology	0.00	0.00	3,000.00	3,000.00	100.00%	0.00	0.00
15-6792 Capital Outlay - Other	0.00	0.00	10,000.00	10,000.00	100.00%	0.00	4,314.40
Total Supplies & Maintenance	884.10	884.10	41,500.00	40,615.90	97.87%	2,348.53	28,742.44
<u>Transfer Out</u>							
15-6701 Interest and Sinking Transfer Out (Oak Drive)	0.00	0.00	124,000.00	124,000.00	100.00%	0.00	123,974.20
Total Transfer Out	0.00	0.00	124,000.00	124,000.00	100.00%	0.00	123,974.20
Total Administration	89,872.32	89,872.32	727,450.00	637,577.68	87.65%	93,798.67	677,582.37

16-Legal

Other Services & Charges

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16-6350 Legal	8,168.85	8,168.85	80,000.00	71,831.15	89.79%	3,243.76	54,612.72
Total Other Services & Charges	8,168.85	8,168.85	80,000.00	71,831.15	89.79%	3,243.76	54,612.72
Total Legal	8,168.85	8,168.85	80,000.00	71,831.15	89.79%	3,243.76	54,612.72
17-Council/Board							
<u>Other Services & Charges</u>							
17-6320 Financial (Contract Svs)	1,193.75	1,193.75	17,000.00	15,806.25	92.98%	0.00	25,268.75
17-6330 Audit	0.00	0.00	25,000.00	25,000.00	100.00%	0.00	24,685.00
17-6382 Social Services Support	0.00	0.00	5,000.00	5,000.00	100.00%	0.00	0.00
17-6541 Public Relations/Receptions	180.18	180.18	8,000.00	7,819.82	97.75%	70.40	7,717.77
17-6572 Training	0.00	0.00	8,000.00	8,000.00	100.00%	802.07	6,688.47
17-6590 Elections	0.00	0.00	6,500.00	6,500.00	100.00%	0.00	0.00
17-6591 Planning	0.00	0.00	15,000.00	15,000.00	100.00%	0.00	14,100.00
Total Other Services & Charges	1,373.93	1,373.93	84,500.00	83,126.07	98.37%	872.47	78,459.99
<u>Expenditures</u>							
17-6595 Code Revisions	0.00	0.00	15,000.00	15,000.00	100.00%	19,000.00	19,000.00
Total Expenditures	0.00	0.00	15,000.00	15,000.00	100.00%	19,000.00	19,000.00
Total Council/Board	1,373.93	1,373.93	99,500.00	98,126.07	98.62%	19,872.47	97,459.99
18-Building							
<u>Other Services & Charges</u>							
18-6360 Contract Inspections	0.00	0.00	35,000.00	35,000.00	100.00%	1,263.75	47,815.67
18-6582 Site Plan Reviews	0.00	0.00	10,000.00	10,000.00	100.00%	0.00	8,887.50
Total Other Services & Charges	0.00	0.00	45,000.00	45,000.00	100.00%	1,263.75	56,703.17
Total Building	0.00	0.00	45,000.00	45,000.00	100.00%	1,263.75	56,703.17

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21-Public Safety							
<u>Other Services & Charges</u>							
21-6370 Contract Services	0.00	0.00	5,000.00	5,000.00	100.00%	0.00	240.00
21-6371 Sanitarian (Contract Labor)	5,000.00	5,000.00	60,000.00	55,000.00	91.67%	0.00	60,000.00
21-6373 Animal Control	0.00	0.00	6,000.00	6,000.00	100.00%	0.00	0.00
21-6375 Safety - Traffic Direction	2,400.00	2,400.00	30,000.00	27,600.00	92.00%	2,385.00	24,285.00
Total Other Services & Charges	7,400.00	7,400.00	101,000.00	93,600.00	92.67%	2,385.00	84,525.00
Total Public Safety	7,400.00	7,400.00	101,000.00	93,600.00	92.67%	2,385.00	84,525.00
30-Public Works							
<u>Personnel Services</u>							
30-6105 Salaries & Wages Full-Time	7,000.12	7,000.12	182,000.00	174,999.88	96.15%	0.00	0.00
30-6151 Salaries - Public Works Manager	1,840.00	1,840.00	0.00	(1,840.00)	0.00%	3,369.50	45,423.33
30-6161 Development/Public Works Director	2,884.61	2,884.61	0.00	(2,884.61)	0.00%	5,093.52	72,727.93
30-6191 Permitting Coordinator	1,680.00	1,680.00	0.00	(1,680.00)	0.00%	0.00	30,229.50
30-6210 Health Care	2,663.45	2,663.45	31,500.00	28,836.55	91.54%	1,531.87	25,171.31
30-6220 Payroll Taxes	1,025.48	1,025.48	13,400.00	12,374.52	92.35%	815.75	12,038.96
30-6230 TMRS Contribution	878.01	878.01	11,500.00	10,621.99	92.37%	541.12	9,702.20
30-6250 Unemployment Compensation	0.00	0.00	400.00	400.00	100.00%	0.00	27.00
30-6251 Workers Compensation	0.00	0.00	1,000.00	1,000.00	100.00%	0.00	0.00
Total Personnel Services	17,971.67	17,971.67	239,800.00	221,828.33	92.51%	11,351.76	195,320.23
<u>Other Services & Charges</u>							
30-6270 Annual/Assoc Dues	0.00	0.00	250.00	250.00	100.00%	0.00	241.00
30-6370 Contract Services	880.00	880.00	35,000.00	34,120.00	97.49%	0.00	7,061.31

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30-6443 Equipment Rent/Right-To-Use Lease	472.59	472.59	6,000.00	5,527.41	92.12%	0.00	0.00
30-6532 Office Tech/Software	1,732.96	1,732.96	12,000.00	10,267.04	85.56%	321.99	2,140.62
30-6569 Vehicle Allowance	400.00	400.00	4,800.00	4,400.00	91.67%	0.00	0.00
30-6570 Travel	661.08	661.08	1,500.00	838.92	55.93%	76.63	122.58
30-6571 Mileage	312.55	312.55	300.00	(12.55)	(4.18%)	0.00	0.00
30-6572 Training	0.00	0.00	3,000.00	3,000.00	100.00%	695.00	1,940.57
Total Other Services & Charges	4,459.18	4,459.18	62,850.00	58,390.82	92.91%	1,093.62	11,506.08
<u>Supplies & Maintenance</u>							
30-6431 Vehicle Maint/Insurance	0.00	0.00	2,000.00	2,000.00	100.00%	1,503.68	7,772.28
30-6583 Fuel	350.77	350.77	4,500.00	4,149.23	92.21%	0.00	4,365.39
30-6610 General Operating Supplies	26.94	26.94	2,500.00	2,473.06	98.92%	24.55	4,236.31
30-6612 Tools	0.00	0.00	500.00	500.00	100.00%	93.53	539.10
Total Supplies & Maintenance	377.71	377.71	9,500.00	9,122.29	96.02%	1,621.76	16,913.08
Total Public Works	22,808.56	22,808.56	312,150.00	289,341.44	92.69%	14,067.14	223,739.39
<u>31-Roads</u>							
<u>Supplies & Maintenance</u>							
31-6432 Road Maintenance	307.24	307.24	80,000.00	79,692.76	99.62%	711.79	36,676.15
31-6433 Equipment Maintenance	0.00	0.00	500.00	500.00	100.00%	0.00	253.00
31-6584 Mowing/Trimming	0.00	0.00	3,000.00	3,000.00	100.00%	0.00	1,041.72
31-6611 Signs/Barricades	0.00	0.00	3,000.00	3,000.00	100.00%	130.00	4,367.89
31-6792 Capital Outlay - Fish Weir	0.00	0.00	20,000.00	20,000.00	100.00%	0.00	0.00
Total Supplies & Maintenance	307.24	307.24	106,500.00	106,192.76	99.71%	841.79	42,338.76
<u>Other Services & Charges</u>							

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31-6470 Engineering - Roads	0.00	0.00	15,000.00	15,000.00	100.00%	0.00	39,600.00
31-6795 Capital Outlay - Roads	0.00	0.00	200,000.00	200,000.00	100.00%	0.00	0.00
Total Other Services & Charges	0.00	0.00	215,000.00	215,000.00	100.00%	0.00	39,600.00
Total Roads	307.24	307.24	321,500.00	321,192.76	99.90%	841.79	81,938.76
33-Water/Wastewater							
Supplies & Maintenance							
33-6586 Quality Testing WW	0.00	0.00	2,000.00	2,000.00	100.00%	465.00	1,923.00
Total Supplies & Maintenance	0.00	0.00	2,000.00	2,000.00	100.00%	465.00	1,923.00
Total Water/Wastewater	0.00	0.00	2,000.00	2,000.00	100.00%	465.00	1,923.00
51-Community Center							
Personnel Services							
51-6100 Salaries & Wages Part-Time	990.94	990.94	39,000.00	38,009.06	97.46%	0.00	1,215.00
51-6105 Salaries & Wages Full-Time	2,115.20	2,115.20	55,000.00	52,884.80	96.15%	0.00	0.00
51-6140 S & W - WCC Manager	1,920.00	1,920.00	0.00	(1,920.00)	0.00%	3,327.60	56,309.47
51-6180 S & W - Maintenance	657.19	657.19	0.00	(657.19)	0.00%	1,475.01	18,203.74
51-6210 Health Care	885.09	885.09	10,500.00	9,614.91	91.57%	764.65	8,644.87
51-6220 Payroll Taxes	434.77	434.77	7,800.00	7,365.23	94.43%	367.41	5,347.16
51-6230 TMRS Contribution	264.31	264.31	3,700.00	3,435.69	92.86%	198.32	3,200.51
51-6250 Unemployment Compensation	0.33	0.33	200.00	199.67	99.84%	1.47	41.30
51-6251 Workers Compensation	0.00	0.00	3,500.00	3,500.00	100.00%	0.00	0.00
Total Personnel Services	7,267.83	7,267.83	119,700.00	112,432.17	93.93%	6,134.46	92,962.05
Other Services & Charges							
51-6270 Annual/Assoc Dues	0.00	0.00	200.00	200.00	100.00%	0.00	274.87

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51-6370 Contract Services	1.00	1.00	500.00	499.00	99.80%	0.00	1,795.00
51-6411 Telephones	106.26	106.26	0.00	(106.26)	0.00%	177.68	2,600.77
51-6443 Equipment Rent/Right-To Use Lease	0.00	0.00	1,500.00	1,500.00	100.00%	0.00	0.00
51-6532 Office Tech/Software	168.49	168.49	2,000.00	1,831.51	91.58%	119.99	3,469.92
51-6540 Advertising	129.00	129.00	2,500.00	2,371.00	94.84%	129.00	709.00
51-6551 Printing	0.00	0.00	100.00	100.00	100.00%	0.00	0.00
51-6651 Postage	0.00	0.00	50.00	50.00	100.00%	0.00	0.00
51-6797 Capital Outlay - Facilities	1,850.00	1,850.00	10,000.00	8,150.00	81.50%	0.00	10,225.00
Total Other Services & Charges	2,254.75	2,254.75	16,850.00	14,595.25	86.62%	426.67	19,074.56
<u>Supplies & Maintenance</u>							
51-6410 Utilities	584.93	584.93	24,000.00	23,415.07	97.56%	2,353.99	24,264.51
51-6430 Bldg Repairs/Maintenance	663.03	663.03	20,000.00	19,336.97	96.68%	0.00	18,214.74
51-6610 General Operating Supplies	222.36	222.36	4,000.00	3,777.64	94.44%	493.70	6,331.34
51-6616 Programs	1,970.78	1,970.78	10,000.00	8,029.22	80.29%	0.00	2,302.78
51-6660 Office Supplies	0.00	0.00	300.00	300.00	100.00%	0.00	920.41
Total Supplies & Maintenance	3,441.10	3,441.10	58,300.00	54,858.90	94.10%	2,847.69	52,033.78
Total Community Center	12,963.68	12,963.68	194,850.00	181,886.32	93.35%	9,408.82	164,070.39
52-Parks							
<u>Supplies & Maintenance</u>							
52-6410 Utilities	76.90	76.90	5,000.00	4,923.10	98.46%	243.47	5,794.24
52-6430 Bldg Repairs/Maintenance	0.00	0.00	2,500.00	2,500.00	100.00%	0.00	1,400.44
52-6585 NATURE TL/OLD BALDY	14.79	14.79	1,000.00	985.21	98.52%	0.00	914.65
52-6610 General Operating Supplies	0.00	0.00	1,000.00	1,000.00	100.00%	0.00	819.40

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Total Supplies & Maintenance	91.69	91.69	9,500.00	9,408.31	99.03%	243.47	8,928.73
Total Parks	91.69	91.69	9,500.00	9,408.31	99.03%	243.47	8,928.73
Total Expense	142,986.27	142,986.27	1,892,950.00	1,749,963.73	92.45%	145,589.87	1,451,483.52

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Revenue Summary							
52-Parks	0.00	0.00	750,900.00	750,900.00	100.00%	505.70	702,813.32
Revenue Totals	0.00	0.00	750,900.00	750,900.00	100.00%	505.70	702,813.32
Expense Summary							
52-Parks	41,767.58	41,767.58	750,900.00	709,132.42	94.44%	33,538.00	670,590.31
Expense Totals	41,767.58	41,767.58	750,900.00	709,132.42	94.44%	33,538.00	670,590.31
Revenues Over(Under) Expenditures	(41,767.58)	(41,767.58)	0.00	0.00	0.00%	(33,032.30)	32,223.01

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52-Parks							
Tax Revenue							
52-5472 Reservations/Gate Fees	0.00	0.00	555,000.00	555,000.00	100.00%	0.00	587,072.00
52-5474 Facility Rentals	0.00	0.00	30,000.00	30,000.00	100.00%	440.00	21,240.00
52-5479 Vending/Merchandise	0.00	0.00	9,000.00	9,000.00	100.00%	0.00	15,714.95
Total Tax Revenue	0.00	0.00	594,000.00	594,000.00	100.00%	440.00	624,026.95
Revenues							
52-5476 Special Events	0.00	0.00	150,000.00	150,000.00	100.00%	20.00	68,599.00
Total Revenues	0.00	0.00	150,000.00	150,000.00	100.00%	20.00	68,599.00
Other Income							
52-5611 Interest Revenues	0.00	0.00	900.00	900.00	100.00%	45.70	4,289.00
52-5701 Other/Misc	0.00	0.00	6,000.00	6,000.00	100.00%	0.00	5,898.37
Total Other Income	0.00	0.00	6,900.00	6,900.00	100.00%	45.70	10,187.37
Total Parks	0.00	0.00	750,900.00	750,900.00	100.00%	505.70	702,813.32
Total Revenue	0.00	0.00	750,900.00	750,900.00	100.00%	505.70	702,813.32

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52-Parks							
Personnel Services							
52-6100 Salaries & Wages Part-Time	3,755.06	3,755.06	160,000.00	156,244.94	97.65%	504.00	3,065.62
52-6105 Salaries & Wages Full-Time	11,884.30	11,884.30	309,000.00	297,115.70	96.15%	0.00	0.00
52-6141 S & W - Parks Director	2,500.00	2,500.00	0.00	(2,500.00)	0.00%	5,000.00	65,000.00
52-6181 S & W - Parks PT	4,096.31	4,096.31	0.00	(4,096.31)	0.00%	7,069.53	175,883.72
52-6182 S & W - Maintenance Tech (2)	2,880.00	2,880.00	0.00	(2,880.00)	0.00%	2,880.00	69,664.50
52-6183 S & W - Programs & Operations Mngr	1,600.00	1,600.00	0.00	(1,600.00)	0.00%	3,200.00	35,191.80
52-6184 S & W - Recreation Manager	1,923.20	1,923.20	0.00	(1,923.20)	0.00%	0.00	27,844.08
52-6185 S & W - Nat'l Resource Park Mngr	1,680.00	1,680.00	0.00	(1,680.00)	0.00%	2,184.00	43,328.25
52-6210 Health Care	3,575.93	3,575.93	63,000.00	59,424.07	94.32%	3,036.03	36,380.83
52-6220 Payroll Taxes	2,265.18	2,265.18	24,000.00	21,734.82	90.56%	1,594.09	32,071.68
52-6230 TMRS Contribution	1,471.63	1,471.63	20,500.00	19,028.37	92.82%	820.57	15,987.85
52-6250 Unemployment Compensation	6.73	6.73	1,000.00	993.27	99.33%	1.74	213.88
52-6251 Workers Compensation	0.00	0.00	11,400.00	11,400.00	100.00%	0.00	0.00
Total Personnel Services	37,638.34	37,638.34	588,900.00	551,261.66	93.61%	26,289.96	504,632.21
Other Services & Charges							
52-6370 Contract Services	0.00	0.00	40,000.00	40,000.00	100.00%	0.00	0.00
52-6411 Telephones	144.97	144.97	0.00	(144.97)	0.00%	764.76	3,748.22
52-6443 Equipment Rent/Right-To-Use Lease	503.43	503.43	11,500.00	10,996.57	95.62%	146.12	2,947.25
52-6532 Office Tech/Software	99.99	99.99	12,000.00	11,900.01	99.17%	358.39	11,137.69
52-6562 CC Processing Fees	0.00	0.00	500.00	500.00	100.00%	310.97	6,782.45
52-6569 Vehicle Allowance	400.00	400.00	4,800.00	4,400.00	91.67%	0.00	0.00

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200 - Blue Hole Parkland Department Expense	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
52-6570 Travel	0.00	0.00	2,000.00	2,000.00	100.00%	0.00	3,975.23
52-6571 Mileage	0.00	0.00	1,000.00	1,000.00	100.00%	0.00	516.81
52-6572 Training	690.00	690.00	3,000.00	2,310.00	77.00%	0.00	5,155.00
52-6581 Refunds	200.00	200.00	1,000.00	800.00	80.00%	0.00	10,044.00
52-6651 Postage	0.00	0.00	100.00	100.00	100.00%	0.00	10.55
Total Other Services & Charges	2,038.39	2,038.39	75,900.00	73,861.61	97.31%	1,580.24	44,317.20
<u>Supplies & Maintenance</u>							
52-6374 Contract Services	1,607.99	1,607.99	0.00	(1,607.99)	0.00%	188.99	34,346.01
52-6410 Utilities	188.20	188.20	12,600.00	12,411.80	98.51%	789.09	11,256.29
52-6431 Vehicle Maint/Insurance	0.00	0.00	2,000.00	2,000.00	100.00%	1,510.29	7,775.16
52-6433 Equipment Maintenance	0.00	0.00	7,000.00	7,000.00	100.00%	0.00	1,958.88
52-6583 Fuel	180.50	180.50	3,000.00	2,819.50	93.98%	0.00	2,845.65
52-6610 General Operating Supplies	114.16	114.16	28,000.00	27,885.84	99.59%	726.14	34,628.18
52-6613 Materials	0.00	0.00	5,000.00	5,000.00	100.00%	0.00	3,221.70
52-6615 Bldg & Maint Supplies	0.00	0.00	3,500.00	3,500.00	100.00%	390.61	2,624.57
52-6616 Programs	0.00	0.00	24,000.00	24,000.00	100.00%	2,062.68	22,084.45
52-6660 Office Supplies	0.00	0.00	1,000.00	1,000.00	100.00%	0.00	900.01
Total Supplies & Maintenance	2,090.85	2,090.85	86,100.00	84,009.15	97.57%	5,667.80	121,640.90
Total Parks	41,767.58	41,767.58	750,900.00	709,132.42	94.44%	33,538.00	670,590.31
Total Expense	41,767.58	41,767.58	750,900.00	709,132.42	94.44%	33,538.00	670,590.31

City of Wimberley
Revenue And Expense Report
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202 - Wastewater Fund	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
Revenue Summary							
04-Water/Wastewater	29,912.62	29,912.62	378,000.00	348,087.38	92.09%	339,944.05	738,768.53
Revenue Totals	29,912.62	29,912.62	378,000.00	348,087.38	92.09%	339,944.05	738,768.53
Expense Summary							
04-Water/Wastewater	10,102.97	10,102.97	378,000.00	367,897.03	97.33%	10,989.16	142,658.74
Expense Totals	10,102.97	10,102.97	378,000.00	367,897.03	97.33%	10,989.16	142,658.74
Revenues Over(Under) Expenditures	19,809.65	19,809.65	0.00	0.00	0.00%	328,954.89	596,109.79

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Revenue and Expense Report
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202 - Wastewater Fund Department Revenue	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
04-Water/Wastewater							
<u>Service Fees</u>							
04-5400 WW Service Fee	29,784.44	29,784.44	377,000.00	347,215.56	92.10%	339,894.67	737,952.46
Total Service Fees	29,784.44	29,784.44	377,000.00	347,215.56	92.10%	339,894.67	737,952.46
<u>Revenues</u>							
04-5420 WW Penalties	128.18	128.18	500.00	371.82	74.36%	0.00	681.52
Total Revenues	128.18	128.18	500.00	371.82	74.36%	0.00	681.52
<u>Other Income</u>							
04-5611 Interest Revenues	0.00	0.00	500.00	500.00	100.00%	49.38	134.55
Total Other Income	0.00	0.00	500.00	500.00	100.00%	49.38	134.55
Total Water/Wastewater	29,912.62	29,912.62	378,000.00	348,087.38	92.09%	339,944.05	738,768.53
Total Revenue	29,912.62	29,912.62	378,000.00	348,087.38	92.09%	339,944.05	738,768.53

City of Wimberley
Revenue and Expense Report
As of October 31, 2023

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202 - Wastewater Fund Department Expense	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
04-Water/Wastewater							
<u>Other Services & Charges</u>							
04-6370 Contract Services	0.00	0.00	70,000.00	70,000.00	100.00%	0.00	0.00
04-6532 Office Tech/Software	0.00	0.00	5,000.00	5,000.00	100.00%	0.00	0.00
Total Other Services & Charges	0.00	0.00	75,000.00	75,000.00	100.00%	0.00	0.00
<u>Supplies & Maintenance</u>							
04-6374 Contract Services	5,704.54	5,704.54	0.00	(5,704.54)	0.00%	5,894.76	71,047.21
04-6410 Utilities	4,398.43	4,398.43	50,000.00	45,601.57	91.20%	5,094.40	55,870.40
04-6610 General Operating Supplies	0.00	0.00	10,000.00	10,000.00	100.00%	0.00	15,741.13
Total Supplies & Maintenance	10,102.97	10,102.97	60,000.00	49,897.03	83.16%	10,989.16	142,658.74
<u>Transfer Out</u>							
04-6701 Interest and Sinking Transfer Out (Waste Water)	0.00	0.00	243,000.00	243,000.00	100.00%	0.00	0.00
Total Transfer Out	0.00	0.00	243,000.00	243,000.00	100.00%	0.00	0.00
Total Water/Wastewater	10,102.97	10,102.97	378,000.00	367,897.03	97.33%	10,989.16	142,658.74
Total Expense	10,102.97	10,102.97	378,000.00	367,897.03	97.33%	10,989.16	142,658.74

City of Wimberley
Revenue And Expense Report
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205 - Hotel Occupancy Tax	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
Revenue Summary							
15-Administration	58,646.15	58,646.15	727,000.00	668,353.85	91.93%	46,724.62	762,279.88
Revenue Totals	58,646.15	58,646.15	727,000.00	668,353.85	91.93%	46,724.62	762,279.88
Expense Summary							
15-Administration	15,666.41	15,666.41	727,000.00	711,333.59	97.85%	13,672.25	341,671.33
Expense Totals	15,666.41	15,666.41	727,000.00	711,333.59	97.85%	13,672.25	341,671.33
Revenues Over(Under) Expenditures	42,979.74	42,979.74	0.00	0.00	0.00%	33,052.37	420,608.55

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Revenue and Expense Report
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205 - Hotel Occupancy Tax Department Revenue	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
15-Administration							
<u>Tax Revenue</u>							
15-5132 Hotel Occupancy Tax	58,646.15	58,646.15	725,000.00	666,353.85	91.91%	46,724.62	758,794.30
Total Tax Revenue	58,646.15	58,646.15	725,000.00	666,353.85	91.91%	46,724.62	758,794.30
<u>Other Income</u>							
15-5611 Interest Revenues	0.00	0.00	2,000.00	2,000.00	100.00%	0.00	3,485.58
Total Other Income	0.00	0.00	2,000.00	2,000.00	100.00%	0.00	3,485.58
Total Administration	58,646.15	58,646.15	727,000.00	668,353.85	91.93%	46,724.62	762,279.88
Total Revenue	58,646.15	58,646.15	727,000.00	668,353.85	91.93%	46,724.62	762,279.88

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205 - Hotel Occupancy Tax Department Expense	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
15-Administration							
Personnel Services							
15-6100 Salaries & Wages Part-Time	0.00	0.00	15,000.00	15,000.00	100.00%	0.00	0.00
15-6105 Salaries & Wages Full-Time	2,692.30	2,692.30	70,000.00	67,307.70	96.15%	0.00	0.00
15-6135 S & W - HOT	1,875.00	1,875.00	0.00	(1,875.00)	0.00%	3,750.00	48,750.00
15-6210 Health Care	669.10	669.10	10,500.00	9,830.90	93.63%	558.22	7,122.47
15-6220 Payroll Taxes	339.64	339.64	5,500.00	5,160.36	93.82%	286.88	3,729.44
15-6230 TMRS Contribution	299.16	299.16	4,600.00	4,300.84	93.50%	223.50	3,115.64
15-6250 Unemployment Compensation	0.00	0.00	100.00	100.00	100.00%	0.00	6.75
15-6251 Workers Compensation	0.00	0.00	200.00	200.00	100.00%	0.00	0.00
Total Personnel Services	5,875.20	5,875.20	105,900.00	100,024.80	94.45%	4,818.60	62,724.30
Other Services & Charges							
15-6270 Annual/Assoc Dues	1,110.00	1,110.00	9,000.00	7,890.00	87.67%	575.00	13,266.25
15-6370 Contract Services	0.00	0.00	91,000.00	91,000.00	100.00%	0.00	42,456.02
15-6443 Equipment Rent/Right-To-Use Lease	0.00	0.00	1,000.00	1,000.00	100.00%	0.00	0.00
15-6532 Office Tech/Software	64.21	64.21	2,000.00	1,935.79	96.79%	0.00	0.00
15-6540 Advertising	0.00	0.00	103,000.00	103,000.00	100.00%	4,330.00	77,323.90
15-6541 Public Relations/Receptions	0.00	0.00	1,000.00	1,000.00	100.00%	0.00	0.00
15-6551 Printing	0.00	0.00	20,000.00	20,000.00	100.00%	264.09	5,929.81
15-6569 Vehicle Allowance	400.00	400.00	4,800.00	4,400.00	91.67%	300.00	3,600.00
15-6570 Travel	0.00	0.00	4,000.00	4,000.00	100.00%	1,435.88	4,998.41
15-6572 Training	0.00	0.00	5,000.00	5,000.00	100.00%	1,846.96	5,807.03
15-6592 HOT Disbursements	0.00	0.00	50,000.00	50,000.00	100.00%	0.00	7,320.00

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205 - Hotel Occupancy Tax Department Expense	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
15-6651 Postage	0.00	0.00	100.00	100.00	100.00%	0.00	0.00
Total Other Services & Charges	1,574.21	1,574.21	290,900.00	289,325.79	99.46%	8,751.93	160,701.42
<u>Expenditures</u>							
15-6311 Hotel Occupancy Tax General Projects	0.00	0.00	54,000.00	54,000.00	100.00%	0.00	106,654.60
15-6973 Special Events	8,150.00	8,150.00	40,000.00	31,850.00	79.63%	0.00	765.00
15-6974 Special Events Equipment	0.00	0.00	10,000.00	10,000.00	100.00%	0.00	0.00
15-6975 Wayfinding Signage	0.00	0.00	22,000.00	22,000.00	100.00%	0.00	0.00
Total Expenditures	8,150.00	8,150.00	126,000.00	117,850.00	93.53%	0.00	107,419.60
<u>Supplies & Maintenance</u>							
15-6410 Utilities	67.00	67.00	5,000.00	4,933.00	98.66%	0.00	0.00
15-6430 Bldg Repairs/Maintenance	0.00	0.00	5,000.00	5,000.00	100.00%	0.00	0.00
15-6610 General Operating Supplies	0.00	0.00	2,000.00	2,000.00	100.00%	101.72	3,162.76
15-6660 Office Supplies	0.00	0.00	2,000.00	2,000.00	100.00%	0.00	778.85
15-6792 Capital Outlay - Other	0.00	0.00	58,200.00	58,200.00	100.00%	0.00	6,884.40
Total Supplies & Maintenance	67.00	67.00	72,200.00	72,133.00	99.91%	101.72	10,826.01
<u>Transfer Out</u>							
15-6701 Interest and Sinking Transfer Out (Old Kyle Rd)	0.00	0.00	132,000.00	132,000.00	100.00%	0.00	0.00
Total Transfer Out	0.00	0.00	132,000.00	132,000.00	100.00%	0.00	0.00
Total Administration	15,666.41	15,666.41	727,000.00	711,333.59	97.85%	13,672.25	341,671.33
Total Expense	15,666.41	15,666.41	727,000.00	711,333.59	97.85%	13,672.25	341,671.33

City of Wimberley
Revenue And Expense Report
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300 - Capital Projects	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
Expense Summary							
30-Capital Projects	55,226.96	55,226.96	0.00	(55,226.96)	0.00%	2,619.37	269,844.64
Expense Totals	55,226.96	55,226.96	0.00	(55,226.96)	0.00%	2,619.37	269,844.64
Revenues Over(Under) Expenditures	(55,226.96)	(55,226.96)	0.00	0.00	0.00%	(2,619.37)	(269,844.64)

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300 - Capital Projects Department Expense	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
30-Capital Projects							
Expenditures							
30-6801 Capital Outlay - Oak Drive Project	55,226.96	55,226.96	0.00	(55,226.96)	0.00%	2,619.37	269,844.64
Total Expenditures	55,226.96	55,226.96	0.00	(55,226.96)	0.00%	2,619.37	269,844.64
Total Capital Projects	55,226.96	55,226.96	0.00	(55,226.96)	0.00%	2,619.37	269,844.64
Total Expense	55,226.96	55,226.96	0.00	(55,226.96)	0.00%	2,619.37	269,844.64

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400 - Interest and Sinking	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
Revenue Summary							
10-Interest and Sinking	0.00	0.00	367,000.00	367,000.00	100.00%	0.00	368,061.20
Revenue Totals	0.00	0.00	367,000.00	367,000.00	100.00%	0.00	368,061.20
Expense Summary							
10-Interest and Sinking	0.00	0.00	367,000.00	367,000.00	100.00%	0.00	368,061.20
Expense Totals	0.00	0.00	367,000.00	367,000.00	100.00%	0.00	368,061.20
Revenues Over(Under) Expenditures	0.00	0.00	0.00	0.00	0.00%	0.00	0.00

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400 - Interest and Sinking Department Revenue	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
<u>10-Interest and Sinking</u>							
<u>Revenues</u>							
10-6702 I&S General Fund Transfer In	0.00	0.00	124,000.00	124,000.00	100.00%	0.00	123,974.20
10-6703 I&S Waste Water Transfer In	0.00	0.00	243,000.00	243,000.00	100.00%	0.00	244,087.00
Total Revenues	<u>0.00</u>	<u>0.00</u>	<u>367,000.00</u>	<u>367,000.00</u>	<u>100.00%</u>	<u>0.00</u>	<u>368,061.20</u>
Total Interest and Sinking	<u>0.00</u>	<u>0.00</u>	<u>367,000.00</u>	<u>367,000.00</u>	<u>100.00%</u>	<u>0.00</u>	<u>368,061.20</u>
 Total Revenue	 <u>0.00</u>	 <u>0.00</u>	 <u>367,000.00</u>	 <u>367,000.00</u>	 <u>100.00%</u>	 <u>0.00</u>	 <u>368,061.20</u>

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Revenue and Expense Report
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400 - Interest and Sinking Department Expense	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
10-Interest and Sinking							
Expenditures							
10-6704 Tax Note Series 2021 Debt Service Principal	0.00	0.00	116,000.00	116,000.00	100.00%	0.00	115,000.00
10-6705 Tax Note Series 2021 Debt Service Interest	0.00	0.00	8,000.00	8,000.00	100.00%	0.00	8,974.20
Total Expenditures	0.00	0.00	124,000.00	124,000.00	100.00%	0.00	123,974.20
Other Services & Charges							
10-6900 Wastewater Debt Service - Prin	0.00	0.00	160,000.00	160,000.00	100.00%	0.00	160,000.00
10-6901 Wastewater Debt Service - Int	0.00	0.00	83,000.00	83,000.00	100.00%	0.00	84,087.00
Total Other Services & Charges	0.00	0.00	243,000.00	243,000.00	100.00%	0.00	244,087.00
Total Interest and Sinking	0.00	0.00	367,000.00	367,000.00	100.00%	0.00	368,061.20
Total Expense	0.00	0.00	367,000.00	367,000.00	100.00%	0.00	368,061.20

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605 - American Rescue Plan	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
Revenue Summary							
-	0.00	0.00	50,000.00	50,000.00	100.00%	0.00	0.00
Revenue Totals	0.00	0.00	50,000.00	50,000.00	100.00%	0.00	0.00
Expense Summary							
05-American Rescue Plan	0.00	0.00	100,000.00	100,000.00	100.00%	0.00	103,242.36
Expense Totals	0.00	0.00	100,000.00	100,000.00	100.00%	0.00	103,242.36
Revenues Over(Under) Expenditures	0.00	0.00	(50,000.00)	0.00	0.00%	0.00	(103,242.36)

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605 - American Rescue Plan Department Revenue	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
-							
----- Not Categorized							
-5905 American Rescue Plan	0.00	0.00	50,000.00	50,000.00	100.00%	0.00	0.00
Total Not Categorized	0.00	0.00	50,000.00	50,000.00	100.00%	0.00	0.00
Total	0.00	0.00	50,000.00	50,000.00	100.00%	0.00	0.00
Total Revenue	0.00	0.00	50,000.00	50,000.00	100.00%	0.00	0.00

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605 - American Rescue Plan Department Expense	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
05-American Rescue Plan							
<u>Not Categorized</u>							
05-6751 Outlay - Projects	0.00	0.00	50,000.00	50,000.00	100.00%	0.00	33,319.36
Total Not Categorized	0.00	0.00	50,000.00	50,000.00	100.00%	0.00	33,319.36
<u>Liabilities</u>							
05-6751 Do Not Use	0.00	0.00	50,000.00	50,000.00	100.00%	0.00	69,923.00
Total Liabilities	0.00	0.00	50,000.00	50,000.00	100.00%	0.00	69,923.00
Total American Rescue Plan	0.00	0.00	100,000.00	100,000.00	100.00%	0.00	103,242.36
Total Expense	0.00	0.00	100,000.00	100,000.00	100.00%	0.00	103,242.36



AGENDA ITEM:	1. Discuss and consider action on the naming of the City Facility located at 280 Old Kyle Road and receive an update regarding preliminary plans. <i>(Leanne Kirby, Tourism Director)</i>
SUBMITTED BY:	
DATE SUBMITTED:	09/27/2023
MEETING DATE:	November 16, 2023

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

REQUESTED ACTION

FINANCIAL

STAFF RECOMMENDATION

ATTACHMENT/S

1. A1.1 - Floor Plans 111323
2. A5.1 - Renderings 111323





1 VIEW FROM SOUTH
N.T.S.



2 VIEW FORM EAST
N.T.S.

NOTE:
3D RENDERINGS ARE PROVIDED FOR GENERAL
INFORMATION ONLY. THIS SHEET IS
SUPERSEDED BY INFORMATION CONTAINED ON
ALL OTHER SHEETS.



AGENDA ITEM:	CUP-23-014 – Vacation Rental (STR2)
SUBMITTED BY:	Nathan Glaiser, Planning and Public Works Director
DATE SUBMITTED:	September 7, 2023
MEETING DATE:	November 9, 2023 (P&Z) / October 16, 2023 (City Council)

REPORT

ITEM

The applicant, Zachary Lowe, has requested a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) on property located at 213 Blue Hole Ln, Wimberley. The property is .44 acres and zoned Residential Acreage. It is on Cypress Creek with part of the property within the 100-year floodplain. It has a three-bedroom home, Accessory Dwelling Unit, and carport. The applicants are requesting a maximum occupancy of 10 guests. The property is on City Sewer.

PROPERTY INFORMATION

Property Description

Applicant(s):	Zachary Lowe
Property Address:	213 Blue Hole Ln
Property Owner:	Hugh Lowe
Legal Description:	Dobie Estates Lot 8-A
Property Size:	.44 acres
Existing Use of Property:	Residence
Existing Zoning:	R3
Shared Infrastructure	City easement along Cypress Creek
Request:	Vacation Rental (STR2)
Planning Area:	II
Overlay District:	Protected Waterway

Surrounding Property:

Frontage:	Blue Hole Ln
------------------	--------------

Surrounding Zoning & Land Use	North of Property	Current Zoning:	Existing Land Use:
		PR1	Parkland
	South of Property	R3	Residential/STR CUP

**East of Property
West of Property**

**PR1
L2**

**Parkland
Lodging**

COMMENTS

Staff has received one letter of support from a neighbor within 200 ft as of 11/8/23.

RECOMMENDATION

PZC recommended approval

LEGAL NOTICE

Surrounding Neighbor Notification Letters (200'): October 20, 2023
Published Legal Notice (Wimberley View): October 26, 2023

ATTACHMENT/S

- Application
- Zoning Map

ORDINANCE NO. 2023-34

AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT TO ALLOW FOR THE OPERATION OF A VACATION RENTAL (STR2) AT 213 BLUE HOLE LANE, WIMBERLEY, TX; PROVIDING FOR FINDINGS OF FACT; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING

WHEREAS, an application for a Conditional Use Permit (“CUP”) has been filed by Zachary Lowe (“Applicant”) to allow for operation of a vacation rental at 213 Blue Hole Lane, Wimberley, Texas; and

WHEREAS, this request is located within an area zoned Residence (R3); and

WHEREAS, after conducting a public hearing on the matter, the Planning and Zoning Commission recommended approval of the CUP application; and

WHEREAS, the City Council conducted a public hearing on the CUP wherein public comment was received and considered on the application; and

WHEREAS, the City Council finds that the requested use of the subject property is an appropriate use for the property and is a compatible use with the surrounding properties and neighborhoods.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WIMBERLEY, TEXAS:

ARTICLE I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Wimberley and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

ARTICLE II. APPROVAL - TERMS

The CITY COUNCIL HEREBY GRANTS the Application for a Conditional Use Permit submitted by Zachary Lowe (“Applicant”) on real property located at 213 Blue Hole Lane Wimberley, Texas, as more particularly described by survey in Exhibit “A”, attached and incorporated by reference, zoned Residence (R3), Wimberley, Hays County, Texas.

ARTICLE III. ZONING DISTRICT MAP

The official Zoning District Map shall be revised to reflect the Conditional Use Permit established by this Ordinance.

ARTICLE IV. REPEALER

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed, but only to the extent of any such conflict.

City of Wimberley, Texas

ARTICLE V. SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

ARTICLE VI. EFFECTIVE DATE

This ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

ARTICLE VII. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code, and the Standard Zoning Enabling Act, Chapter 211 of the Texas Local Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED by the City of Wimberley City Council on the 16th day of November 2023 by a vote of ____ (Ayes) and ____ (Nays) and ____ (Abstain).

CITY OF WIMBERLEY

By: _____
Gina Fulkerson, Mayor

ATTEST:

Tammy Heller, City Secretary

APPROVED AS TO FORM:

City Attorney



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CITY OF WIMBERLEY

Conditional Use Permit Planning & Development

FOR OFFICE USE ONLY

Date: _____ CUP - _____ - _____ Staff Review _____

P&Z Hearing: _____ Council Hearing: _____ Fees Paid (\$650): ☐ _____

Applicant: Zachary Lowe
Mailing Address: 3302 Riverlawn Dr City: Kingwood State: TX Zip: 77329
Phone: 281 432 9851 Email: [REDACTED]

OWNER'S INFORMATION

Property Owner: Hugh Lowe
Mailing Address: 400 Academy Dr City: Austin State: TX Zip: 78704
Phone: [REDACTED] Email: [REDACTED]

PROJECT SITE ADDRESS: 213 Blue Hole Ln. Wimberley 78676
Legal description: Dobie Estates Lot 8-A
Total Acreage or Square Footage: 0.44 / 1832 sq ft Deed recorded in: 1-6-2010
Hays CAD Parcel ID R- 151596 Planning Area: R-3 Zoning: residential
Is property located in an overlay district? ☒ Yes ☐ No If Yes, type: protected waterway

SPECIFIC CONDITIONAL USE REQUEST: yes

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: P.E.C.
Water provider or Private Well: Wimberley Water
Wastewater Service or Septic Permit No. city wastewater

*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.

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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: _____

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

OWNER: Hugh Lowe

LOCATION OF PROPERTY: 213 Blue Hole Ln Wimberley 78676

LEGAL DESCRIPTION: Dobie Estates Lot 8-A 0.44 acres

PLANNING AREA: _____ PRESENT ZONING: residential

EXISTING USE: private residence

HOMEOWNERS ASSOCIATION CONTACT INFO: none

SHARED FACILITIES (RIVER PARK, POOL, ETC.): shared easement

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. 4 Off-street parking spaces will be provided for off-street guest parking, which will be adequate for a maximum occupancy of 10 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:** 10 guests.

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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 Cypress 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

PRINT NAME

DATE

OWNER SIGNATURE

PRINT NAME

DATE

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STATE OF TEXAS
COUNTY OF HAYS

KNOW ALL MEN BY THESE PRESENTS

That we, Hugh & Claudia Linn, owner of the certain tract of land shown hereon and described in a deed recorded in Volume 202, Page 688, of the Official Public Records of Hays County, Texas, same being Lots 8 and 9, Estate of J.F. Dobie, recorded in Book 182, Page 232, of the Hays County Plat Records, do hereby subdivide said lot as shown hereon, and do hereby consent to all plat rules and regulations shown hereon, and do hereby dedicate to the City of Wimberley the streets, alleys, rights-of-way, easements, and public phone shown hereon for such public purposes as the City of Wimberley may deem appropriate. This subdivision is to be known as the AMENDING PLAT OF LOTS 8 & 9, ESTATE OF J.F. DOBIE, ESTABLISHING LOT 8-A, CITY OF WIMBERLEY, HAYS COUNTY, TEXAS.

TO CERTIFY WHICH, WITNESS by my hand this 29 day of Oct. A.D. 2015

Hugh Linn
Claudia Linn
400 Audubon Drive
Austin, TX 78704

STATE OF TEXAS
COUNTY OF HAYS

KNOW ALL MEN BY THESE PRESENTS

Before me, the undersigned authority, on this day personally appeared Hugh & Claudia Linn, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they have executed the same for the purposes and consideration therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL, at office this 29 day of Oct. A.D. 2015

Francisco Padilla-Luna
NOTARY PUBLIC in and for Hays County, Texas



STATE OF TEXAS
CITY OF WIMBERLEY

Based upon the above representations of the engineer or surveyor whose seal is affixed hereto, and after a review of the plat as represented by the said engineer or surveyor, I find that this plat conforms with the requirements of the City of Wimberley. This certification is made solely upon such representations and should not be relied upon for verification of the facts alleged. The City of Wimberley disclaims any responsibility to any member of the public for judgment or verification of the representation, fact or otherwise, contained in this plat and the documents associated with it.

City Engineer, City of Wimberley
Date: 11/04/2015

I, Just D. Williamson, City Engineer of the City of Wimberley, Texas do hereby certify that this subdivision plat conforms to all requirements of the Subdivision Regulations to which approval is required.

Just D. Williamson
City Engineer
City of Wimberley, Texas
Date: 11/04/2015

I, Don Ferguson, City Administrator of the City of Wimberley, Texas hereby certify that this subdivision plat conforms to all requirements of the Subdivision Regulations to which approval is required.

Don Ferguson
City Administrator
City of Wimberley, Texas
Date: 11/04/2015

STATE OF TEXAS
COUNTY OF HAYS

KNOW ALL MEN BY THESE PRESENTS

I, Lita G. Gonzalez, Clerk of the County Court of said County, do hereby certify that the foregoing instrument is in writing, with its certificate of authorization was filed for record in my office on the 7 day of October, A.D. 2015, and that the same was recorded in Book 182, Page 232, of the Official Public Records of Hays County, Texas, in Plat Book No. 182, Page 232.

TO CERTIFY WHICH, WITNESS my hand and seal of the Office of County Clerk, this 7 day of October, A.D. 2015

Lita G. Gonzalez
County Clerk
Hays County, Texas
Date: 11/04/2015

Wimberley Water Supply, CCH #10314, an approved water supply system, has adequate capacity to supply this subdivision in accordance with the policies of the water supply system.

Wimberley Water Supply Representative
Date: 12/12/2015

STATE OF TEXAS
COUNTY OF HAYS

KNOW ALL MEN BY THESE PRESENTS

I, Kelly Kilber, Registered Professional Land Surveyor in the State of Texas, do hereby certify that this plat is true and correctly made from an actual survey made on the ground of the property legally described hereon, and that there are no apparent discrepancies, conflicts, overlapping of boundaries, or other errors or omissions in this plat, and that the corner monuments shown thereon were properly placed under my supervision in accordance with the Subdivision Regulations of the City of Wimberley, Texas.

TO CERTIFY WHICH, WITNESS by my hand and seal at Wimberley, Hays County, Texas this 22 day of Oct. A.D. 2015

Kelly Kilber
R.L.S. # 2216, State of Texas
Date: 10/22/15

I, Kelly Kilber, Registered Professional Engineer in the State of Texas, do hereby certify that this subdivision is not in the Edwards Aquifer Recharge Zone, nor is it in the Barton Springs Segment of the Edwards Aquifer Recharge Zone, it is however in the Contributing Zone of the Edwards Aquifer and is surrounded by a Zone A-2 flood area, as described herein, and as defined by Federal Emergency Management Administration Flood Hazard Boundary Map, Community Panel Number, 43-1084 0238 F, effective date September 2, 2005, and that such lot conforms to the Subdivision Regulations.

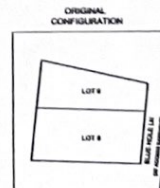
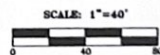
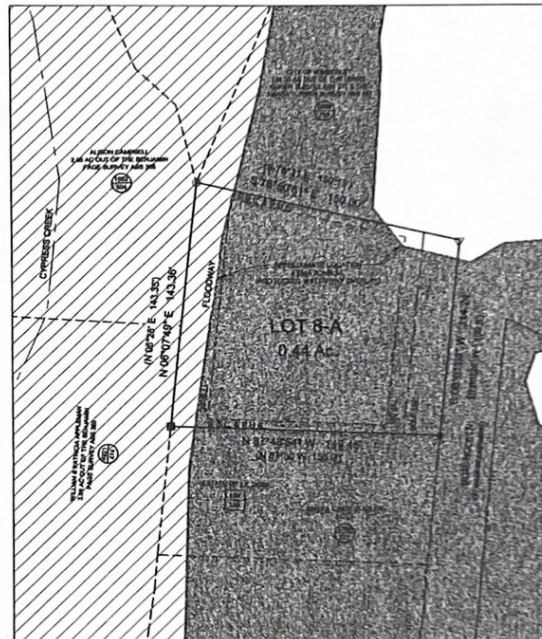
TO CERTIFY WHICH, WITNESS by my hand and seal at Wimberley, Hays County, Texas this 22 day of Oct. A.D. 2015

Kelly Kilber
Registered Professional Engineer, No. 41167
State of Texas
Date: 10/22/15

PLAN 5701

P-15-1058000

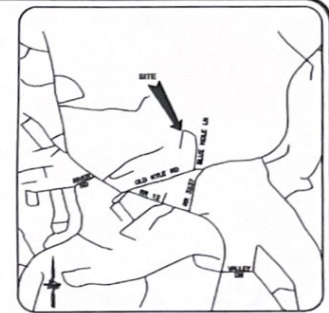
AMENDING PLAT OF LOTS 8 & 9, ESTATE OF J.F. DOBIE ESTABLISHING LOT 8-A CITY OF WIMBERLEY HAYS COUNTY, TEXAS



SCALE: 1"=100'

LEGEND

- FENCE POST FOUND
- BORN CORNER FOUND
- △ ALUMINUM CAP BORN CORNER FOUND
- NAIL FOUND
- HAYS COUNTY DEED RECORD
- HAYS COUNTY PLAT RECORD
- FLOOD PLAIN ZONE (A)



VICINITY MAP
1"=2000'
ZIP CODE: 78678

PLAT NOTES

- No portion of this subdivision lies within the boundaries of the Barton Springs Segment of the Edwards Aquifer Contributing Zone.
- This subdivision lies within the boundaries of the Edwards Aquifer Contributing Zone.
- This subdivision lies within the boundaries of the 100-year flood plain as delineated on Hays County F.F.R.M. Panel #40204C 0238 F, City of Wimberley Community Panel #401094 0238 F, dated September 2, 2005.
- This subdivision contains 1 residential lot for a total of 0.44 acres.
- This subdivision lies within the Wimberley Independent School District.
- Water supply for this subdivision is provided by Wimberley Water Supply Corporation.
- Firewater protection is provided by the City of Wimberley Fire Department.
- Electricity for this subdivision is provided by Transmission Electric Company, Inc.
- Telephone service for this subdivision is provided by Verizon.
- This subdivision lies within the City Limits of The City of Wimberley and is subject to its ordinances.
- When required, lots shall have a minimum driveway culvert size of 18".
- This subdivision has an average slope of less than 10%.
- There is hereby dedicated a 10-foot (30 feet Public Utility, Coverage, and Interference/Encroachment) Easement adjacent to all street right-of-way lines and a 10-foot (10 feet Public Utility, Coverage, and Interference/Encroachment) Easement adjacent to all other right-of-way lines. If any or more lots are contained on a single lot, this easement shall be automatically subdivided along the common line or lines of the combined lots so long as no utility lines or drainage improvements are located therein.
- Construction and use of land within the Protected Watershed Overlay District is limited as set forth in Chapter 155.002 of the City's Code of Ordinances.
- All construction activity within zone AE 100-year flood hazard must comply with City of Wimberley and FEMA Floodplain Management regulations as set forth in Chapter 153 of the City's Code of Ordinances.
- Wastewater treatment for this subdivision is to be provided, individual on-site sewerage facilities as approved by the City of Wimberley. No structure to this subdivision shall be occupied until connected to a public sewer system or to a on-site wastewater system which has been approved and permitted by the City of Wimberley.
- Improvements noted on this plat, which is not shown by this Plat.
- Provisions of the City of Wimberley Comprehensive Plan shall also govern this subdivision.
- Building setback lines per City of Wimberley Zoning Ordinance.
- No sign, including advertising, for any business or enterprise which would interfere with the purpose of the subdivision, shall be placed or erected within a Drainage Easement. The ownership of any signs upon which drainage facilities are located, including advertising, shall be responsible for maintenance and upkeep of such facilities.
- Beating Lines, Texas State Plane Coordinate System-South Central Zone.
- New construction on Lot 8-A must obtain a Development Permit from the City of Wimberley in compliance with §153.02 of City Code Chapter 153 Flood Damage Prevention.
- Lot 8-A is within the Protected Watershed Overlay District (PWO) of Cypress Creek and is subject to the requirements of §155.002 of City Code Chapter 155 Zoning.
- This tract shall be located in zone AE 100-year flood hazard and the flood hazard boundaries of the existing structures are 504.4' for the house and 502.4' for the outbuilding.

ENGINEER:

BEC-11
ENGINEERING, L.P.
100 E. San Antonio St., Suite 100
San Marcos, Texas 78666
Phone: 512-333-3338 Fax: 512-333-0224
TWP'S REG. # 12100003

JULY 7, 2015

SURVEYOR:

TRU-TRACY
SURVEYING COMPANY, L.P.
100 E. San Antonio St., Suite 100
San Marcos, Texas 78666
Phone: 512-333-3338 Fax: 512-333-0224
TWP'S REG. # 12100003

SHEET 1 of 1

Vol 19 pg 68

September 27, 2023

CITY OF WIMBERLEY

221 STILLWATER
WIMBERLEY TEXAS 78676

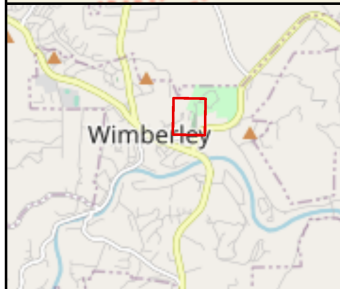
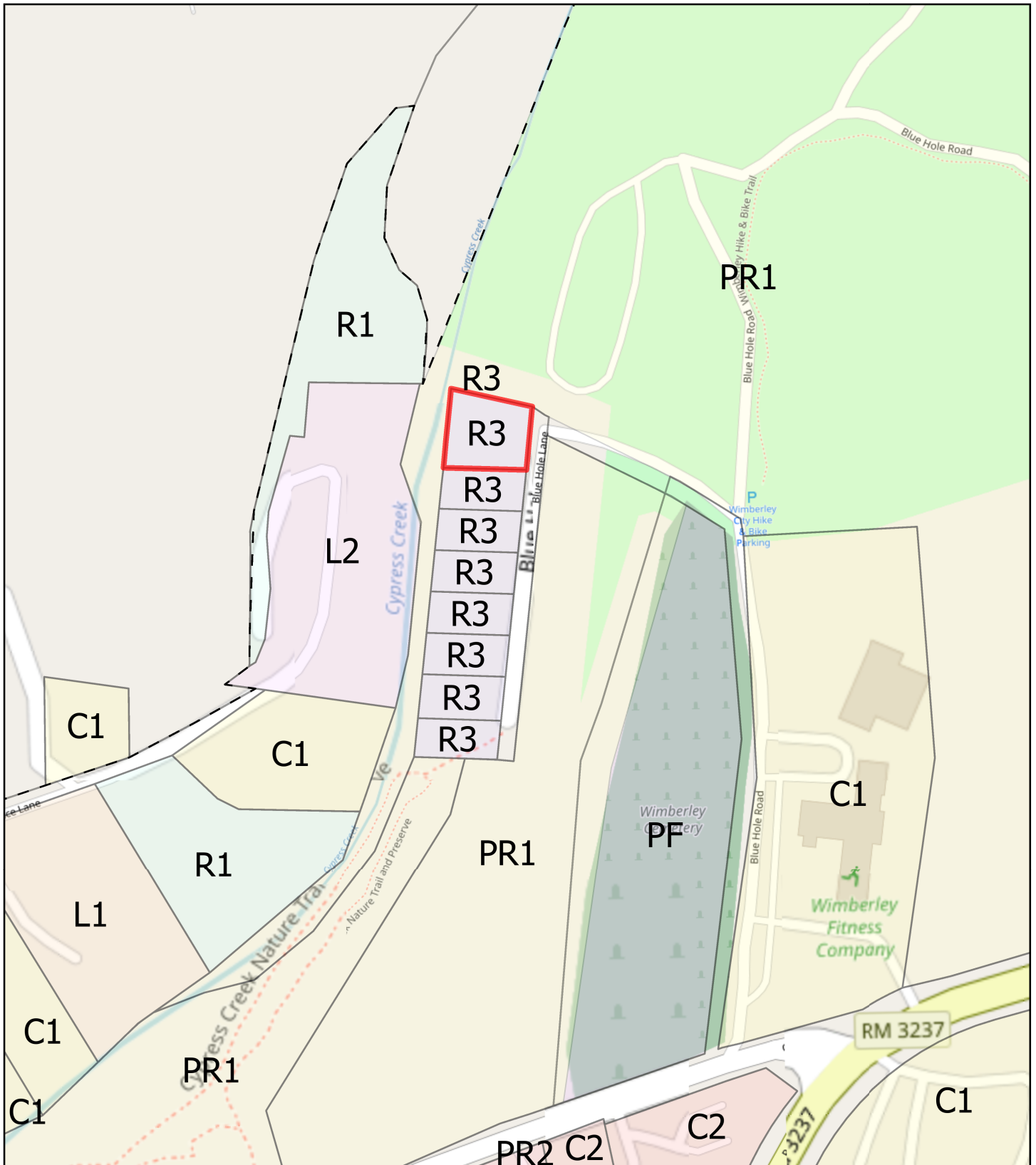
RE: FILE CUP-23-014
213 BLUE HOLE LANE WIMBERLEY

Mr. Nathan Glaiser

I have known the Lowe family for many years. I know the family, and especially Zachary, to be conscientious homeowners always considering their neighbors, and improving their property. I believe they will be just as considerate of the neighbors and property as owners of a VRBO. With that said, my wife Cindy and I hope they will be approved for a Conditional Use Permit (CUP) so they can operate a VRBO.

SINCERELY,

GARY AND CINDY STADLER
211 BLUE HOLE LANE
WIMBERLEY TEXAS, 78676



CUP-23-014 © OpenStreetMap (and) contributors, CC-BY-SA		Legend 213 Blue Hole Ln
2023		Coordinate System: NAD 1983 StatePlane Texas Central FIPS 4203 Feet

N

0 100 200 Feet



AGENDA ITEM:	CUP-23-015 – Vacation Rental (STR2)
SUBMITTED BY:	Nathan Glaiser, Planning and Public Works Director
DATE SUBMITTED:	September 1, 2023
MEETING DATE:	November 9 (P&Z) / November 16, 2023 (City Council)

REPORT

ITEM

The applicants, Rachel & Scott Baker, have requested a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) on property located at 900 FM 2325, Wimberley. The property is .5 acres and zoned Commercial Low impact 1. It currently has three buildings on the property, one single-family residence, one accessory building, and one personal storage building. The personal storage building is a non-conforming use. The applicants are requesting to remodel the accessory building into a 2-bedroom vacation rental. The applicants are requesting a maximum occupancy of 4 guests.

PROPERTY INFORMATION

Property Description

Applicant(s):	Rachel & Scott Baker
Property Address:	900 FM 2325
Property Owner:	Rachel & Scott Baker
Legal Description:	Rankin Survey
Property Size:	.5 acres
Existing Use of Property:	Residence & storage
Existing Zoning:	C1
Shared Infrastructure	None
Request:	Vacation Rental (STR2)
Planning Area:	IV
Overlay District:	Entrance Corridor

Surrounding Property:

Frontage: FM 2325

Surrounding Zoning

Current Zoning:

Existing Land Use:

& Land Use	North of Property	NS	Business Park
	South of Property	C1	Commercial
	East of Property	R2	Residential
	West of Property	C1	Commercial

COMMENTS

Staff has not received any comments from citizens as of 11/8/2023.

RECOMMENDATION

PZC recommended approval of the CUP with the condition that only the shed building and A frame be included.

LEGAL NOTICE

Surrounding Neighbor Notification Letters (200'): October 20, 2023
Published Legal Notice (Wimberley View): October 26, 2023

ATTACHMENT/S

- Application
- Zoning Map

ORDINANCE NO. 2023-35

AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT TO ALLOW FOR THE OPERATION OF A VACATION RENTAL (STR2) AT 900 FM 2325, WIMBERLEY, TX; PROVIDING FOR FINDINGS OF FACT; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING

WHEREAS, an application for a Conditional Use Permit (“CUP”) has been filed by Rachel & Scott Baker (“Applicant”) to allow for operation of a vacation rental at 900 FM 2325, Wimberley, Texas; and

WHEREAS, this request is located within an area zoned Commercial Low Impact (C-1); and

WHEREAS, after conducting a public hearing on the matter, the Planning and Zoning Commission recommended approval of the CUP application; and

WHEREAS, the City Council conducted a public hearing on the CUP wherein public comment was received and considered on the application; and

WHEREAS, the City Council finds that the requested use of the subject property is an appropriate use for the property and is a compatible use with the surrounding properties and neighborhoods.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WIMBERLEY, TEXAS:

ARTICLE I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Wimberley and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

ARTICLE II. APPROVAL - TERMS

The CITY COUNCIL HEREBY GRANTS the Application for a Conditional Use Permit submitted by Rachel & Scott Baker (“Applicant”) on real property located at 900 FM 2325 Wimberley, Texas, as more particularly described by survey in Exhibit “A”, attached and incorporated by reference, zoned Commercial Low Impact (C-1), Wimberley, Hays County, Texas, subject to the following condition(s):

1. The use of the property shall be limited to the Shed Building and A-Frame only

ARTICLE III. ZONING DISTRICT MAP

The official Zoning District Map shall be revised to reflect the Conditional Use Permit established by this Ordinance.

ARTICLE IV. REPEALER

City of Wimberley, Texas

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed, but only to the extent of any such conflict.

ARTICLE V. SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

ARTICLE VI. EFFECTIVE DATE

This ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

ARTICLE VII. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code, and the Standard Zoning Enabling Act, Chapter 211 of the Texas Local Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED by the City of Wimberley City Council on the 16th day of November 2023 by a vote of ____ (Ayes) and ____ (Nays) and ____ (Abstain).

CITY OF WIMBERLEY

By: _____
Gina Fulkerson, Mayor

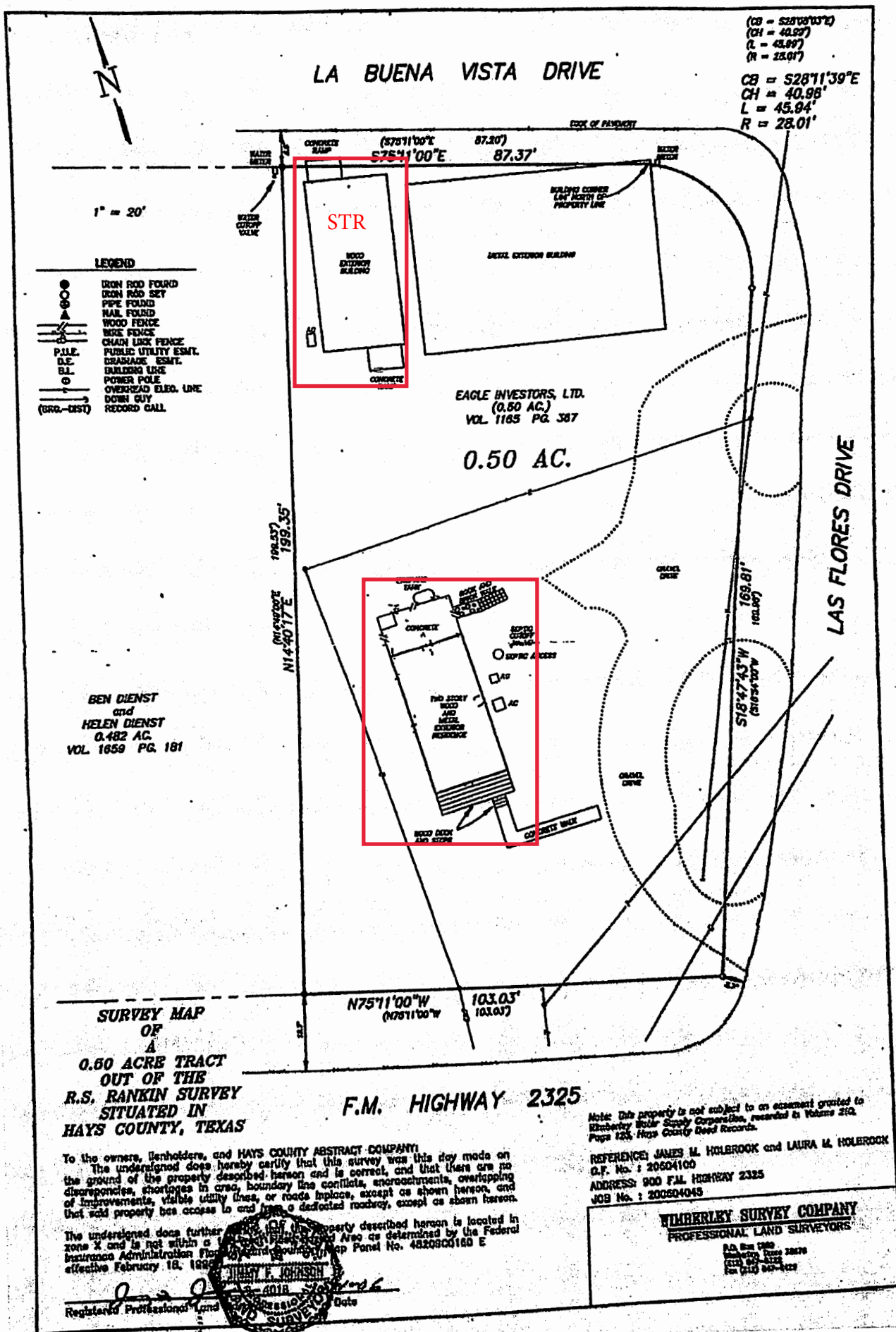
ATTEST:

Tammy Heller, City Secretary

APPROVED AS TO FORM:

City Attorney







CITY OF WIMBERLEY

Conditional Use Permit Planning & Development

FOR OFFICE USE ONLY

Date: _____ CUP - _____ - _____ Staff Review _____

P&Z Hearing: _____ Council Hearing: _____ Fees Paid (\$650): ☐ _____

Applicant: Rachel & Scott Baker
Mailing Address: 900 FM 2325 City: Wimberley State: TX Zip: 78676
Phone: [REDACTED] Email: [REDACTED]

OWNER'S INFORMATION

Property Owner: Same As Above
Mailing Address: _____ City: _____ State: _____ Zip: _____
Phone: [REDACTED] Email: [REDACTED]

PROJECT SITE ADDRESS: 900 FM 2325 Wimberley, TX 78676
Legal description: Being .50 acre of land out of The Rankin Survey (R.S.)
Total Acreage or Square Footage: 1/2 acre (.50) Deed recorded in: 12-30-2021
Hays CAD Parcel ID R- 17525 Planning Area: _____ Zoning: C-1
Is property located in an overlay district? ☐ Yes ☒ No If Yes, type: _____
SPECIFIC CONDITIONAL USE REQUEST: STR - 2

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 Supply
Wastewater Service or Septic Permit No. City Waste-Water Texas

*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.

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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 (see permit)
- ☒ 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: _____

Rachel Bub
Joe Du

Date: 9-1-2023
9-1-2023

Forms & Applications October 2021 2

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 None 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:

Rachel Baker
OWNER SIGNATURE

Rachel Baker
PRINT NAME

9-1-2023
DATE

Scott Baker
OWNER SIGNATURE

Scott Baker
PRINT NAME

9-1-2023
DATE

Forms & Applications October 2021 4

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

OWNER: Rachel & Scott Baker

LOCATION OF PROPERTY: 900 FM 2325 Wimberley, TX 78676

LEGAL DESCRIPTION: Being .50 acre of land out of the R.S. Rankin Survey

PLANNING AREA: _____ PRESENT ZONING: C-1

EXISTING USE: Workshop

HOMEOWNERS ASSOCIATION CONTACT INFO: N/A

SHARED FACILITIES (RIVER PARK, POOL, ETC.): N/A

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

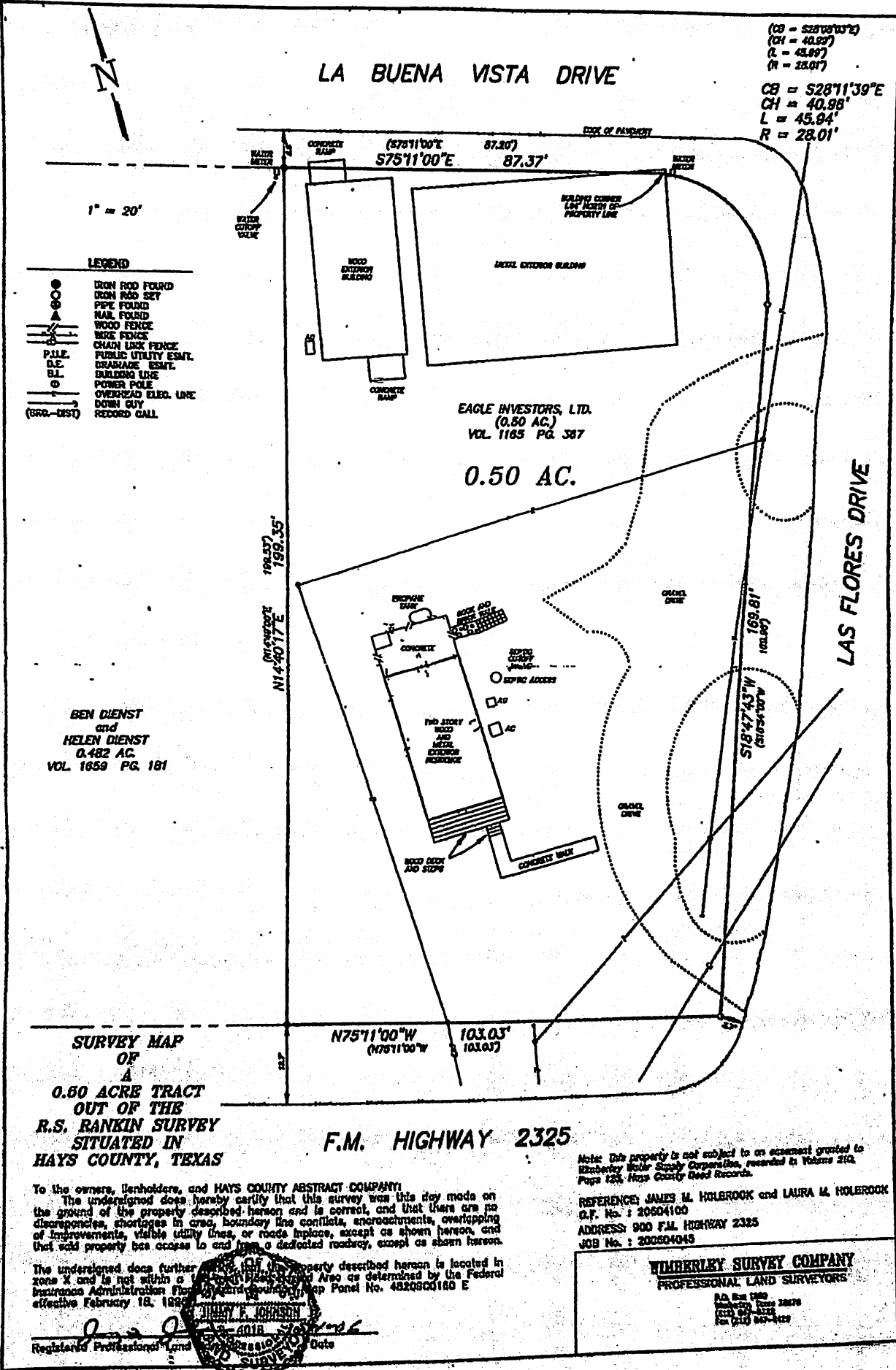
OFF-STREET PARKING: All parking will be off-street. ☒ Off-street parking spaces will be provided for off-street guest parking, which will be adequate for a maximum occupancy of 4 guests. Parking will be in these spaces only.

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: 2 **PROPOSED MAXIMUM OCCUPANCY:** 2-4 guests.

Forms & Applications October 2021 3



(CB = 528°11'39"E)
(CH = 40.98')
(L = 45.94')
(R = 28.01')

CB = 528°11'39"E
CH = 40.98'
L = 45.94'
R = 28.01'

- LEGEND**
- IRON ROD FOUND
 - IRON ROD SET
 - PIPE FOUND
 - ▲ NAIL FOUND
 - WOOD FENCE
 - WIRE FENCE
 - CHAIN LINK FENCE
 - PUBLIC UTILITY ESMT.
 - DRAINAGE ESMT.
 - BUILDING LINE
 - POWER POLE
 - OVERHEAD ELEC. LINE
 - DOWN GUY
 - RECORD CALL
- (BRG.—DIST)

BEN DIENST
and
HELEN DIENST
0.482 AC.
VOL. 1659 PG. 181

**SURVEY MAP
OF
A
0.50 ACRE TRACT
OUT OF THE
R.S. RANKIN SURVEY
SITUATED IN
HAYS COUNTY, TEXAS**

F.M. HIGHWAY 2325

To the owners, lessors, and HAYS COUNTY ABSTRACT COMPANY:
The undersigned does hereby certify that this survey was this day made on the ground of the property described hereon and is correct, and that there are no discrepancies, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, visible utility lines, or roads in place, except as shown hereon, and that said property has access to and from a dedicated roadway, except as shown hereon.

The undersigned does further certify that the property described hereon is located in zone X and is not within a Federal Flood Hazard Area as determined by the Federal Insurance Administration Flood Hazard Insurance Map Panel No. 4820SC0180 E effective February 18, 1959.

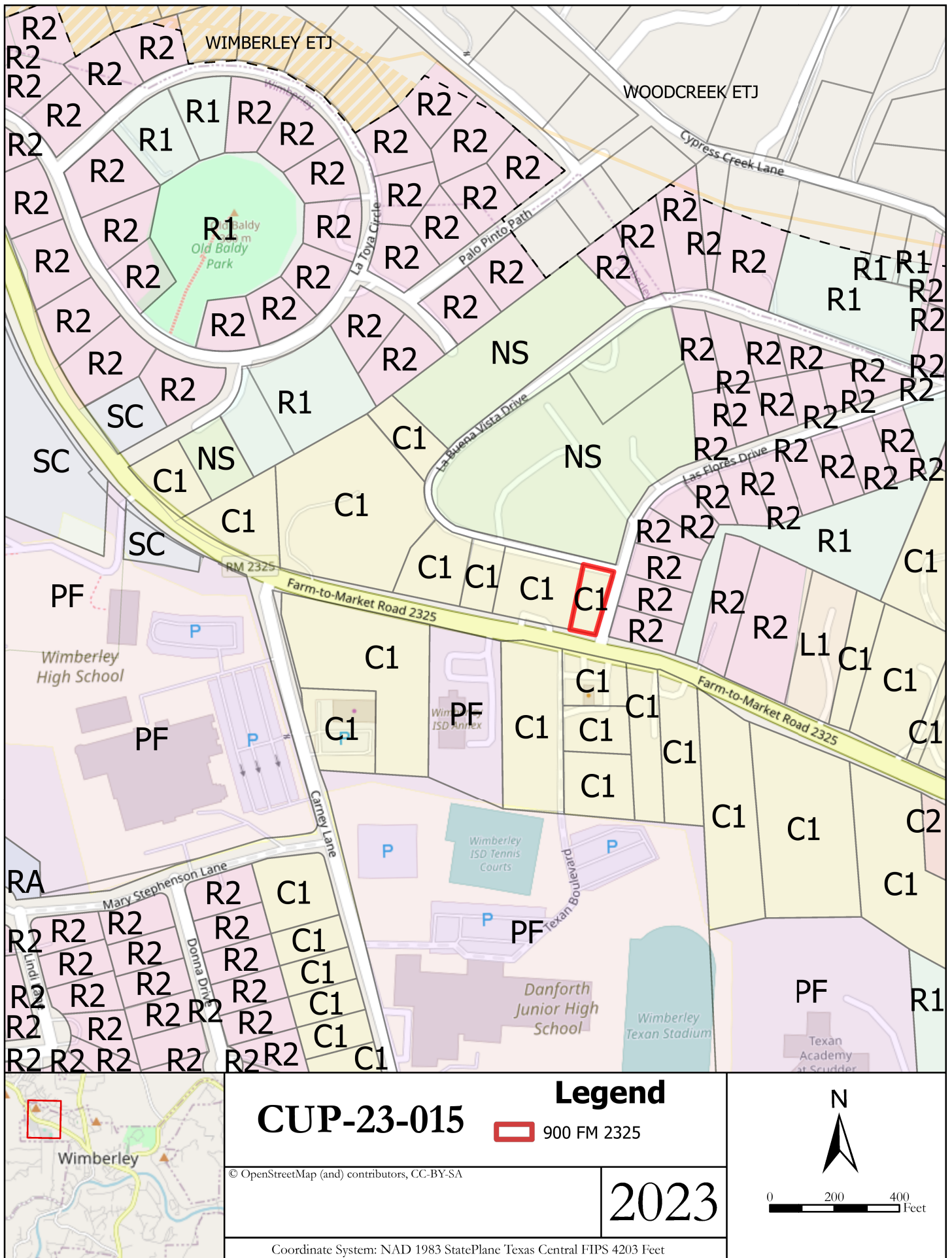
Note: This property is not subject to an easement granted to Elmhurst Water Supply Corporation, recorded in Volume 210, Page 125, Hays County Deed Records.

REFERENCE: JAMES M. HOLBROOK and LAURA M. HOLBROOK
O.F. No. : 20604100
ADDRESS: 900 F.M. HIGHWAY 2325
JOB No. : 200504045

WIMBERLEY SURVEY COMPANY
PROFESSIONAL LAND SURVEYORS

P.O. Box 1282
Wimberley, Texas 77875
(512) 847-4228
Fax (512) 847-4122

Registered Professional Land Surveyor
JIMMY E. JOHNSON
No. 4018
Expiration Date 12/31/2006





AGENDA ITEM:	CUP-23-016 – Vacation Rental (STR2)
SUBMITTED BY:	Nathan Glaiser, Planning and Public Works Director
DATE SUBMITTED:	September 6, 2023
MEETING DATE:	October 12 (P&Z) / October 19, 2023 (City Council)

REPORT

ITEM

The applicants, Jessica Verma, have requested a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) on property located at 100 Box Canyon Dr, Wimberley. The property is 6 acres and zoned Residential Acreage. It currently has three buildings on the property, one single-family residence, one accessory dwelling, and garage. The applicants are requesting a short-term rental 2 for the main building with a maximum occupancy of 14 guest.

PROPERTY INFORMATION

Property Description

Applicant(s):	Jessica Verma
Property Address:	100 Box Canyon
Property Owner:	Arun S. Verma and Jessica B. Verma
Legal Description:	John W Keeley Survey
Property Size:	6 acres
Existing Use of Property:	Single Family Residence
Existing Zoning:	RA
Shared Infrastructure	None
Request:	Vacation Rental (STR2)
Planning Area:	I and VII
Overlay District:	Entrance Corridor

Surrounding Property:

Frontage: FM 3237

Surrounding Zoning & Land Use	North of Property	Current Zoning: R1	Existing Land Use: Residential
--	--------------------------	------------------------------	--

South of Property	RA	Residential
East of Property	R2	Residential
West of Property	ETJ	Commercial

COMMENTS

Staff has not received any comments from citizens as of 11/8/2023.

RECOMMENDATION

PZC recommended approval with the following conditions:

1. Limited to just the house as stated on the survey
2. Approved adequate On-Site Sewer Facility Permit

LEGAL NOTICE

Surrounding Neighbor Notification Letters (200'): September 22, 2023
Published Legal Notice (Wimberley View): September 28, 2023

ATTACHMENT/S

- Application
- Zoning Map

ORDINANCE NO. 2023-36

AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT TO ALLOW FOR THE OPERATION OF A VACATION RENTAL (STR2) AT 100 BOX CANYON, WIMBERLEY, TX; PROVIDING FOR FINDINGS OF FACT; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING

WHEREAS, an application for a Conditional Use Permit (“CUP”) has been filed by Jessica Verma (“Applicant”) to allow for operation of a vacation rental at 100 Box Canyon, Wimberley, Texas; and

WHEREAS, this request is located within an area zoned Residential Acreage (RA); and

WHEREAS, after conducting a public hearing on the matter, the Planning and Zoning Commission recommended approval of the CUP application; and

WHEREAS, the City Council conducted a public hearing on the CUP wherein public comment was received and considered on the application; and

WHEREAS, the City Council finds that the requested use of the subject property is an appropriate use for the property and is a compatible use with the surrounding properties and neighborhoods.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WIMBERLEY, TEXAS:

ARTICLE I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Wimberley and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

ARTICLE II. APPROVAL - TERMS

The CITY COUNCIL HEREBY GRANTS the Application for a Conditional Use Permit submitted by Zachary Lowe (“Applicant”) on real property located at 100 Box Canyon Wimberley, Texas, as more particularly described by survey in Exhibit “A”, attached and incorporated by reference, zoned Residential Acreage (RA), Wimberley, Hays County, Texas, subject to the following conditions:

1. The use of the property shall be limited to the house only, as stated on the survey
2. An approved adequate On-Site Sewer Facility Permit

ARTICLE III. ZONING DISTRICT MAP

The official Zoning District Map shall be revised to reflect the Conditional Use Permit established by this Ordinance.

ARTICLE IV. REPEALER

City of Wimberley, Texas

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed, but only to the extent of any such conflict.

ARTICLE V. SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

ARTICLE VI. EFFECTIVE DATE

This ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

ARTICLE VII. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code, and the Standard Zoning Enabling Act, Chapter 211 of the Texas Local Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED by the City of Wimberley City Council on the 16th day of November 2023 by a vote of ____ (Ayes) and ____ (Nays) and ____ (Abstain).

CITY OF WIMBERLEY

By: _____
Gina Fulkerson, Mayor

ATTEST:

Tammy Heller, City Secretary

APPROVED AS TO FORM:

City Attorney



GF NO. KTGAUS-22-1566 KEY TITLE GROUP
ADDRESS: 100 BOX CANYON ROAD
WIMBERLEY, TEXAS 78676
BORROWER: ARUN S. VERMA AND
JESSICA B. VERMA

THIS PROPERTY DOES NOT LIE WITHIN THE
100 YEAR FLOOD PLAIN AS ESTABLISHED
BY THE U.S. DEPT. OF HOUSING & URBAN
DEVELOPMENT.
COMMUNITY/PANEL NO. 48209C 0239 F
MAP REVISION: 09/02/2005
ZONE X

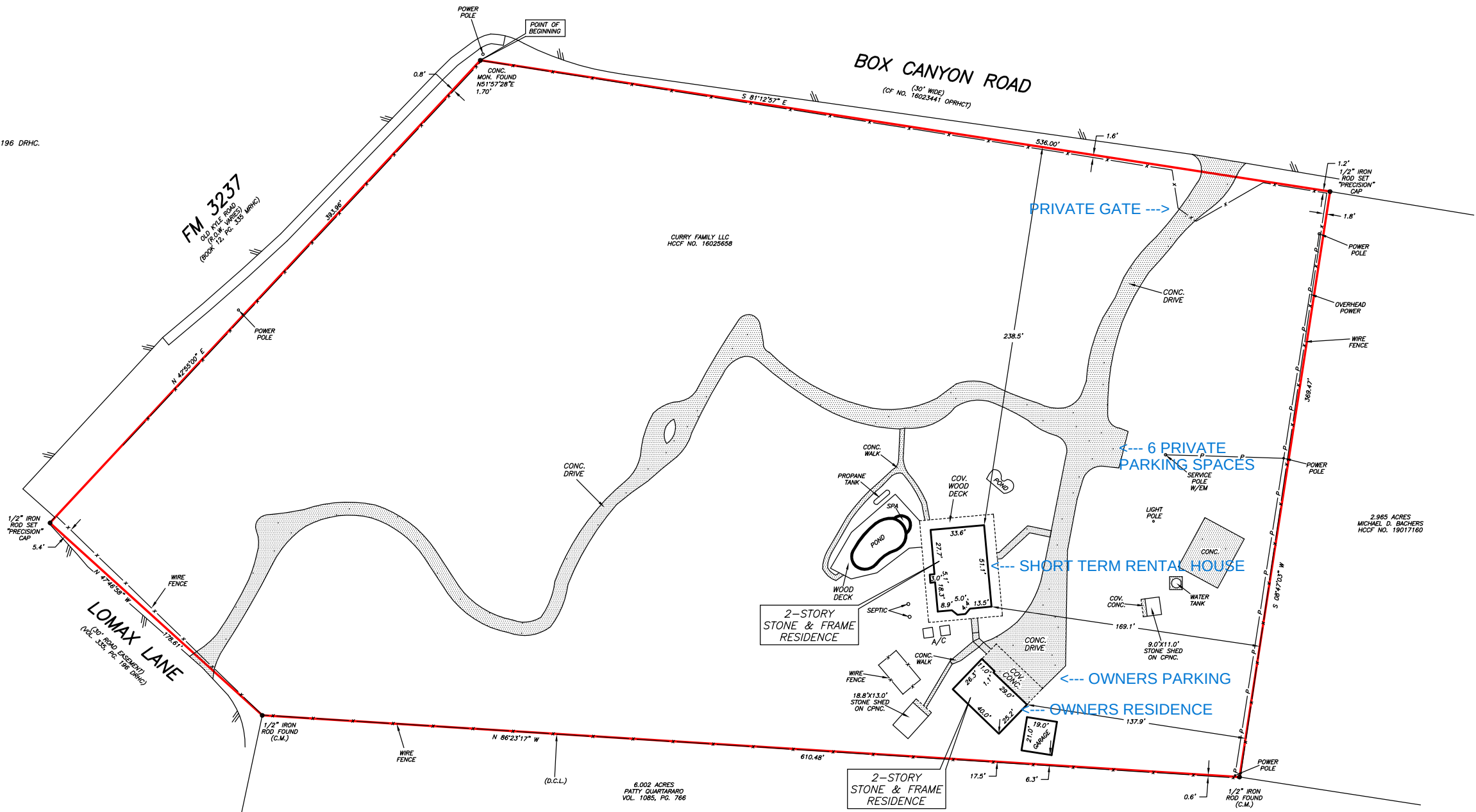
BASED ONLY ON VISUAL EXAMINATION OF MAPS.
INACCURACIES OF FEMA MAPS PREVENT EXACT
DETERMINATION WITHOUT DETAILED FIELD STUDY

A SUBSURFACE INVESTIGATION
WAS BEYOND THE SCOPE OF THIS SURVEY

NOTE: RIGHT OF WAY EASEMENT PER VOL. 335, PG. 196 DRHC.

Exhibit A

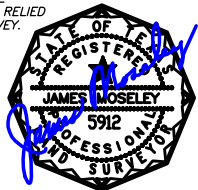
SCALE: 1" = 50'



5.9978 ACRES
OUT OF THE
JOHN W. KEELEY SURVEY, A-277
OF HAYS COUNTY, TEXAS
(SEE ATTACHED METES AND BOUNDS DESCRIPTION)

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE
ON THE GROUND, THAT THIS PLAT CORRECTLY
REPRESENTS THE FACTS FOUND AT THE
TIME OF SURVEY AND THAT THERE ARE NO
ENCROACHMENTS APPARENT ON THE GROUND,
EXCEPT AS SHOWN HEREON. THIS SURVEY IS
CERTIFIED FOR THIS TRANSACTION ONLY AND
ABSTRACTING PROVIDED IN THE ABOVE
REFERENCED TITLE COMMITMENT WAS RELIED
UPON IN PREPARATION OF THIS SURVEY.

JAMES E. MOSELEY
PROFESSIONAL LAND SURVEYOR
NO. 5912
DRAWING NO. SA2023-01340
APRIL 27, 2023



D.C.L.=DIRECTIONAL CONTROL LINE
RECORD BEARING: HCCF NO. 16025658

DRAWN BY: JB

PRECISION SURVEYORS
PROFESSIONAL LAND SURVEYS
1-800-LANDSURVEY
www.precisionlandsurvey.com
281-496-1586 FAX 281-496-1867
950 THIRDAVENUE STREET SUITE 130 HOUSTON, TEXAS 77079
210-529-4941 FAX 210-529-1555
1777 NE LOOP 410 SUITE 600 SAN ANTONIO, TEXAS 78217
FIRM NO. 10063700



Conditional Use Permit
Planning & Development

FOR OFFICE USE ONLY

Date: _____ CUP - _____ - _____ Staff Review _____

P&Z Hearing: _____ Council Hearing: _____ Fees Paid (\$650): ☐ _____

Applicant: Jessica Verma

Mailing Address: 801 White River Drive City: Prosper State: TX Zip: 75078

Phone: [REDACTED] Email: [REDACTED]

OWNER'S INFORMATION

Property Owner: Arun S. Verma and Jessica B. Verma

Mailing Address: 801 White River Drive City: Prosper State: TX Zip: 75078

Phone: [REDACTED] Email: [REDACTED]

PROJECT SITE ADDRESS: 100 Box Canyon Rd. Wimberley, TX 78676

Legal description: A0277 JOHN W KEELEY SURVEY, ACRES 5.998

Total Acreage or Square Footage: 3300sf Deed recorded in: 2023

Hays CAD Parcel ID R- 15819 Planning Area: MAIN HOUSE Zoning: RA

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: Private Well

Wastewater Service or Septic Permit No. 1041

*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
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- ☒ 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.

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Applicant's Signature: _____

J Verma

Date: _____

9/6/23

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

OWNER: Arun and Jessica Verma

LOCATION OF PROPERTY: 100 Box Canyon Rd, Wimberley, TX 78676

LEGAL DESCRIPTION: A0277 JOHN W KEELEY SURVEY, ACRES 5.998

PLANNING AREA: MAIN HOUSE PRESENT ZONING: RA

EXISTING USE: Previously a recovery center

HOMEOWNERS ASSOCIATION CONTACT INFO: None

SHARED FACILITIES (RIVER PARK, POOL, ETC.): None

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. 5 Off-street parking spaces will be provided for off-street guest parking, which will be adequate for a maximum occupancy of 14 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: 5 PROPOSED MAXIMUM OCCUPANCY: 14 guests.

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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.

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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

Arun Verma

PRINT NAME

Jessica Verma

PRINT NAME

9/6/23
DATE

9/6/23
DATE

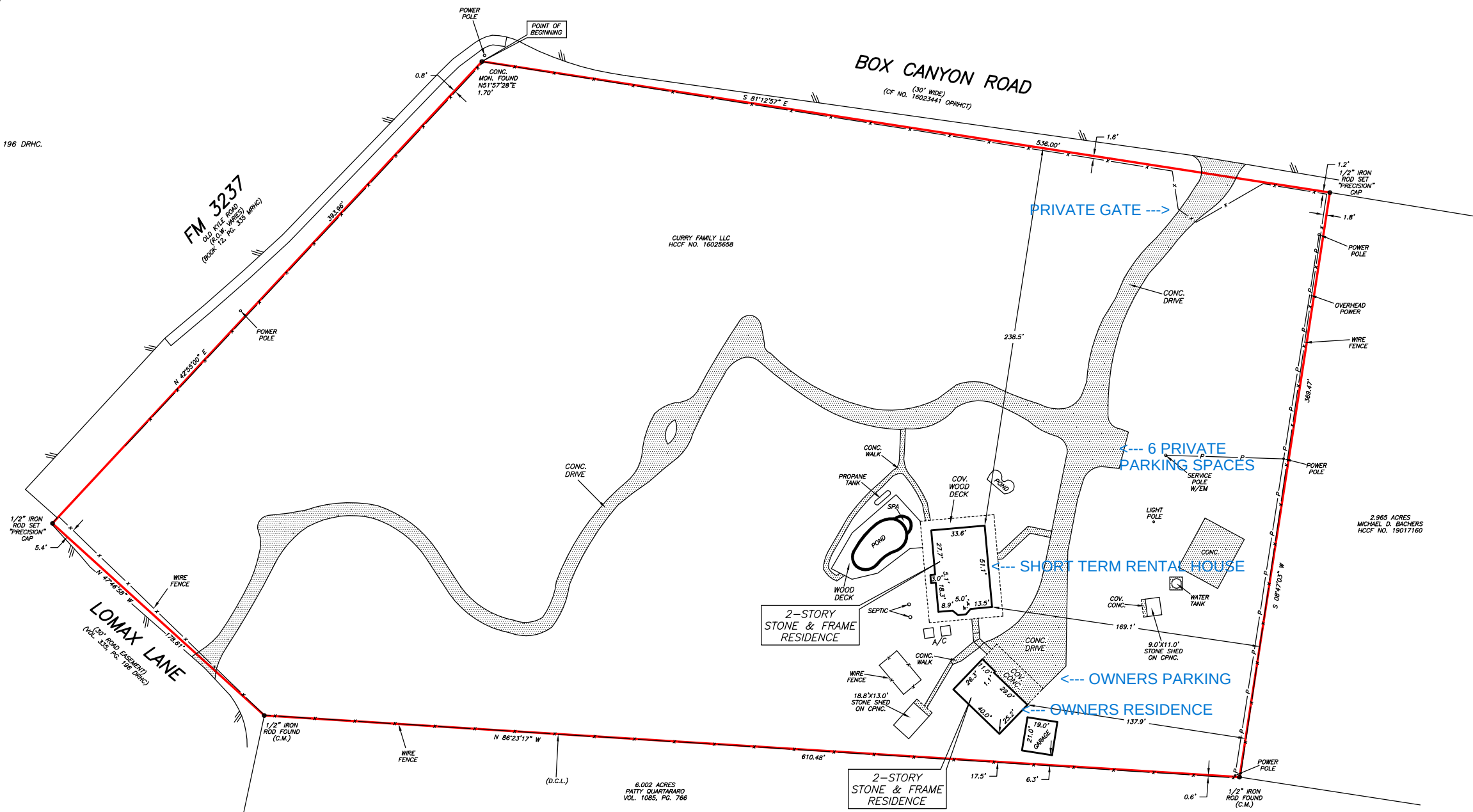
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WIMBERLEY, TEXAS 78676
BORROWER: ARUN S. VERMA AND
JESSICA B. VERMA

THIS PROPERTY DOES NOT LIE WITHIN THE
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BY THE U.S. DEPT. OF HOUSING & URBAN
DEVELOPMENT.
COMMUNITY/PANEL NO. 48209C 0239 F
MAP REVISION: 09/02/2005
ZONE X

BASED ONLY ON VISUAL EXAMINATION OF MAPS.
INACCURACIES OF FEMA MAPS PREVENT EXACT
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WAS BEYOND THE SCOPE OF THIS SURVEY

NOTE: RIGHT OF WAY EASEMENT PER VOL. 335, PG. 196 DRHC.

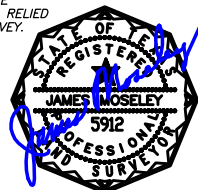


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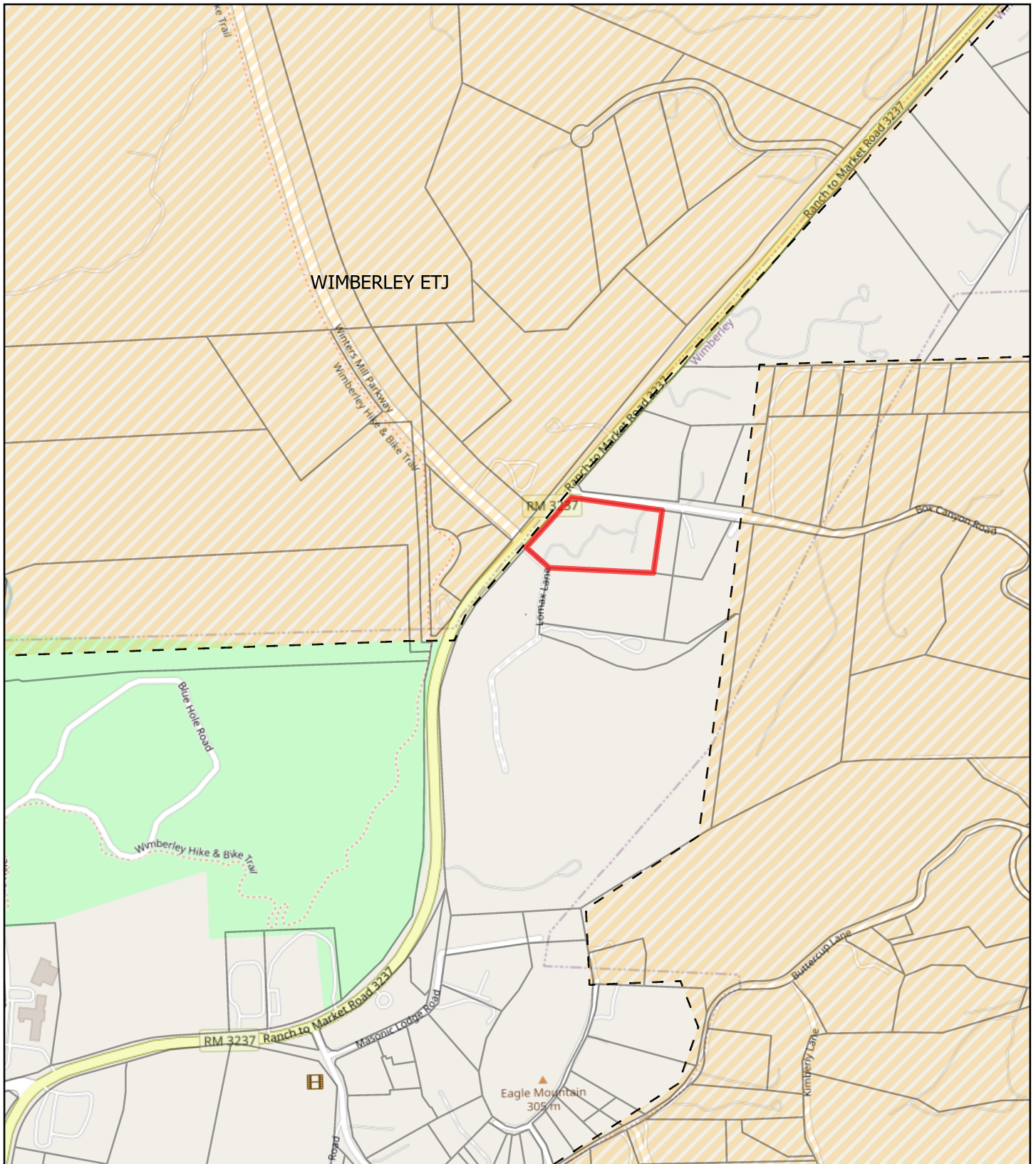
JAMES E. MOSELEY
PROFESSIONAL LAND SURVEYOR
NO. 5912
DRAWING NO. SA2023-01340
APRIL 27, 2023



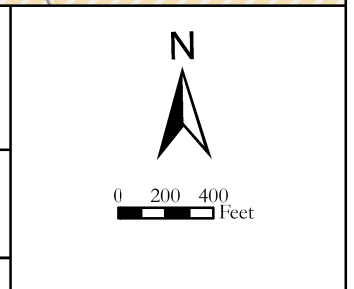
D.C.L.=DIRECTIONAL CONTROL LINE
RECORD BEARING: HCCF NO. 16025658

DRAWN BY: JB

PRECISION SURVEYORS
PROFESSIONAL LAND SURVEYS
1-800-LANDSURVEY
www.precisionlandsurvey.com
281-496-1586 FAX 281-496-1867
950 THIRDAVENUE STREET SUITE 130 HOUSTON, TEXAS 77079
210-529-4941 FAX 210-529-1555
1777 NE LOOP 410 SUITE 600 SAN ANTONIO, TEXAS 78217
FIRM NO. 10063700



CUP-23-016	Legend  100 Box Canyon
© OpenStreetMap (and) contributors, CC-BY-SA	2023
Coordinate System: NAD 1983 StatePlane Texas Central FIPS 4203 Feet	





AGENDA ITEM:	ZA-23-005 – C1 to C3
SUBMITTED BY:	Nathan Glaiser, Planning and Development Coordinator
DATE SUBMITTED:	October 16, 2023
MEETING DATE:	November 9, 2023 (P&Z) / November 16, 2023 (City Council)

REPORT

ITEM

The applicant, Philip V. Giglio (owner: Patricia Carol White), has requested a zoning amendment to change the zoning from Commercial Low Impact C-1 to Commercial High Impact C-3 for property located at 151 Old Kyle Rd, Wimberley. The property is .227 acres and though it is zoned Commercial Low Impact 1, it is currently being used as a single-family residence. It is on City Sewer. It is in planning area V which is defined as “the primary location for high impact community and regional services.” The applicant is proposing to change the use of the property to a gelateria and café, serving small plates and beer/wine. A gelateria serves gelato, a type of Italian ice cream.

Commercial Low Impact 1 is defined as:

“The C-1, commercial 1 district is established as a limited retail category intended for the purpose of supplying day-to-day needs and personal services. Establishments may include small, freestanding retail structures, and personal service establishments.”

Commercial High Impact 3 is defined as:

“The C-3, commercial 3 district is established to provide areas for more intense and concentrated shopping and service facilities for the retail sales of goods and services. These shopping areas shall utilize established landscape and buffering requirements. The C-3 district should be located along or at the intersection of major collectors or thoroughfares to accommodate higher traffic volumes.”

PROPERTY INFORMATION

Property Description

Applicant(s):	Philip V. Giglio
Property Address:	151 Old Kyle Rd
Property Owner:	Patricia Carol White
Legal Description:	Oldham Lot 10
Property Size:	.227

Existing Use of Property: Single-Family Residential
Existing Zoning: C1
Shared Infrastructure None
Request: C3
Planning Area: V
Overlay District: City Center, Historical Preservation District (HD)

Surrounding Property:

Frontage: Old Kyle

		Current Zoning:	Existing Land Use:
Surrounding Zoning & Land Use	North of Property	C3	Commercial
	South of Property	C2	Commercial
	East of Property	C3	Commercial
	West of Property	C3	Commercial

COMMENTS

Staff has not received any comments from citizens as of 11/8/2023.

STAFF ANALYSIS

Review Criteria and *Staff Response*.

- A. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned and their relationship to the general area and the city as a whole;

The subject property is surrounded on three sides by C3 properties. The majority of uses surrounding property are restaurants serving beer/wine, which is what the applicants are proposing. In general, the subject property is located in Wimberley's City Center and Planning Area V, which is the area determined to be most appropriate for high impact community and regional services.

- B. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area, and shall note the findings;

This area was recently provided with a sewer collection system. This property fronts on Old Kyle Road, which is part of the Wimberley Valley Trails Plan. Future plans for Old Kyle Rd include more pedestrian/bike paths and an upgraded one-way street.

- C. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the city, and any special circumstances which may make a substantial part of that vacant land unavailable for development;

In Planning Area V there is currently 4.8 acres zoned C1 and 8.3 acres zoned C3. Most lots in this area have been at least partially developed. Only one property zoned C3 is vacant.

- D. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change;

Available land in the C1 and C3 zoning districts is developing rapidly in Planning Area V compared to other areas of Wimberley.

- E. How other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved;

With such a small area being proposed for rezoning, staff does not feel that any other areas designated for similar development will be significantly affected.

- F. Any other factors which will substantially affect the public health, safety, morals, or general welfare; and

Staff does not believe that this request will negatively affect the public health, safety, morals, or general welfare of Wimberley.

- G. Whether granting the request furthers the land use objectives and principles adopted by the city.

Yes, staff finds that this zoning request is supported by the Comprehensive Plan.

Staff recommends approval of this zoning amendment. PZC recommended approval.

LEGAL NOTICE

Surrounding Neighbor Notification Letters (200'): October 19, 2023
Published Legal Notice (Wimberley View): October 26, 2023

ATTACHMENT/S

- Application
- Zoning Map
- Code of Ordinances C1 & C3

ORDINANCE NO. 2023-37

AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS, AMENDING THE ZONING FOR PROPERTY LOCATED AT 151 OLD KYLE, WIMBERLEY, HAYS COUNTY, TEXAS, FROM COMMERCIAL - LOW IMPACT (C-1) TO COMMERCIAL – HIGH IMPACT (C-3).

WHEREAS, Chapter 211 of Vernon’s Local Government Code empowers the City Council of the City of Wimberley to enact zoning regulations and provides for their administration, enforcement and amendment, and

WHEREAS, the regulations established by the Wimberley Code of Ordinances Article 9.03 (Zoning), as amended, (the “Code”) are specifically designed to lessen congestion in the streets; secure safety from fire, panic, and other dangers; promote health and general welfare; provide adequate light and air; prevent the overcrowding of land; avoid undue concentration of population; facilitate the adequate provision of transportation, water, sewers, schools, parks, and other public facilities; and;

WHEREAS, the City Council of the City of Wimberley has complied with all notice of public hearing as required by the Code and State law; and

WHEREAS, in keeping with the spirit and objectives of the area, the City Council has given due consideration to all components of said proposed zoning change and the recommendations of the Planning and Zoning Commission concerning recommended requirements, conditions and safeguards necessary to protect adjoining property; and

WHEREAS, it is the intent of the City Council to provide harmony between existing zoning districts and proposed land uses; and

WHEREAS, the City Council desires to amend the Zoning Map by rezoning property located at 151 Old Kyle Road, Wimberley, Hays County, Texas, described by survey in Exhibit “A”, attached and incorporated by reference, from Commercial-Low Impact (C-1) to Commercial-High Impact (C-3).

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WIMBERLEY, TEXAS:

ARTICLE I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Wimberley and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

ARTICLE II. REZONING

THAT the Zoning Map of the City of Wimberley is hereby amended by rezoning 13619

Ranch Road 12, in Wimberley, Hays County, Texas, described by survey in Exhibit “A”, from Commercial-Low Impact (C-1) to Commercial-High Impact (C-3) zoning classification.

ARTICLE IV. REPEALER

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed, but only to the extent of any such conflict.

ARTICLE V. SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

ARTICLE VI. EFFECTIVE DATE

This ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

ARTICLE VII. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code, and the Standard Zoning Enabling Act, Chapter 211 of the Texas Local Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED by the City of Wimberley City Council on the 16th day of November 2023 by a vote of ___ (Ayes) and ___ (Nays) and ___ (Abstain).

CITY OF WIMBERLEY

By: _____
Gina Fulkerson, Mayor

ATTEST:

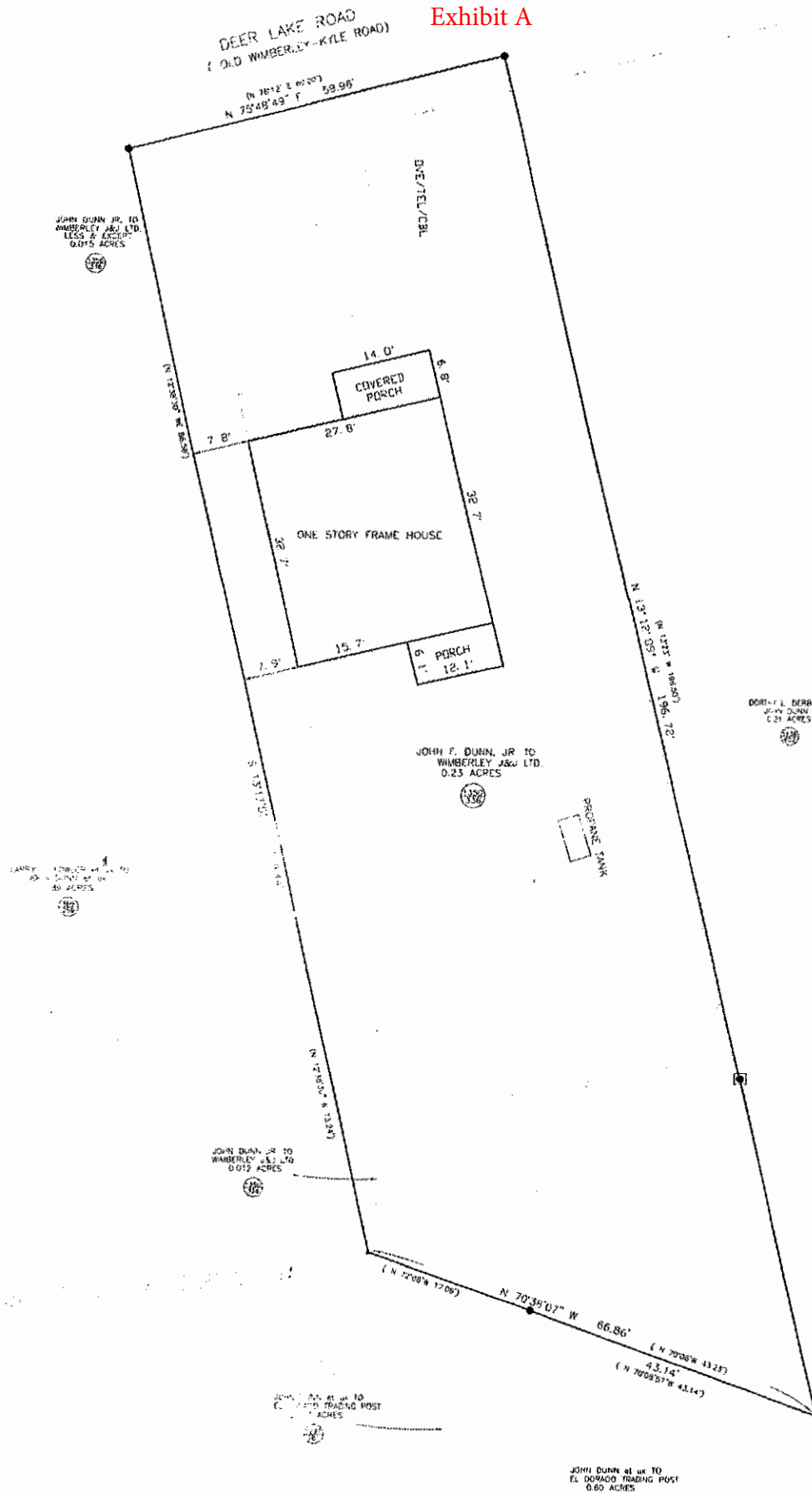
Tammy Heller, City Secretary



APPROVED AS TO FORM:

City Attorney

Exhibit A



ORIGINAL SCALE
1" = 10'

LEGEND

- HAYS COUNTY PLAT RECORDS
- HAYS COUNTY DEED RECORDS
- IRON ROD FOUND
- 5/8" IRON ROD SET
- CALCULATED POINT
- WIRE FENCE
- CHAIN LINK FENCE
- OVERHEAD UTILITIES/POLE

SURVEYOR'S NOTES

1. THIS SURVEY WAS MADE IN CONJUNCTION WITH A TITLE COMMITMENT OF JET PRODUCE, DATED JANUARY 11, 2009 AND PREPARED BY HAYS COUNTY ABSTRACT COMPANY.
2. ACCORDING TO THE FEMA FLOOD INSURANCE MAP NO. 17000W 4322D, DATED 10/10/90, THIS TRACT IS NOT WITHIN ZONE A OR A SPECIAL FLOOD HAZARD AREA.
3. BEARINGS AND DISTANCES IN PARENTHESES ARE RECORD INFORMATION.
4. THIS LOT IS SUBJECT TO A BLANKET EASEMENT TO DEVEL. WITH AND TOGETHER AS HEREINAFTER IN VOLUME 27, PAGE 167 OF THE HAYS COUNTY REAL PROPERTY RECORDS.

JOHN DUNN et al TO
EL DORADO TRADING POST
0.60 ACRES

A SURVEY
0.227 ACRES OF LAND
OUT OF LOT 10 OF THE
CHARLES & OLLIE OLDHAM SUBDIVISION
IN THE AMASA TURNER SURVEY # 1
WIMBERLEY, TEXAS

FRONTIER
SURVEYING COMPANY
710 BUFFALO ST. SUITE 502
CORPUS CHRISTI, TX. 78401
(512) 881-8944 FAX (512) 881-8343

DRAWN BY: ARL P.

DATE

I, hereby certify that this plat is true and correct to the best of my knowledge and belief as ascertained on the ground January 25, 2009.

John Dunn
John Dunn
Registered Professional Land Surveyor
License Number: 5505



Commercial Zoning Application

Planning & Development

Non-Residential, Multi-Family, or Mobile Home Development

FOR OFFICE USE ONLY

Application Date: _____ File No.: _____ Fees: \$ _____ Paid: _____
Tentative P&Z Hearing: _____ Tentative City Council Hearing: _____
Planning Area: _____ Zoning Requested: _____ City Initiated: ☐ Yes ☐ No

PROPERTY INFORMATION

STREET ADDRESS OF PROPERTY TO BE ZONED: 151 Old Kyle Rd., Wimberley, Texas

*New Street Addresses can be obtained by calling (512) 393-2160 HAYS COUNTY CAD PROPERTY ID #: R 18606

PLEASE PROVIDE DIRECTIONS TO YOUR PROPERTY: From City Hall, head North on RR12. Turn Right on Old Kyle Rd and property is on the right.

NOTE: Please clearly mark your property so it is easily identifiable.

TOTAL AREA TO BE ZONED: ACRES .227 (OR) SQ. FT. _____ TOTAL NO. of TRACTS: 1

PLANNING AREAS: V REQUESTED ZONING CLASSIFICATION: C3

PROPOSED USE: Gelateria and cafe serving small plates and beer/wine

EXISTING ZONING CLASSIFICATION(s) AND USES (if applicable): C1 - currently a residence

OWNER'S INFORMATION

Owner's Name: Patricia Carol White Phone No.: _____

Mailing Address: 151 Old Kyle Rd, Wimberley, TX 78676

Email Address: _____

REPRESENTATIVE'S INFORMATION

Representative Name: Philip V. Giglio Phone No.: [REDACTED]

Mailing Address: 495 Thomas Jung Road, Fredericksburg TX 78624

Email Address: [REDACTED]

Name of Real Estate Company Involved: Compass RE Texas, LLC

LEGAL DESCRIPTION

Street Address: 151 Old Kyle Hwy, Wimberley, TX 78676 Subdivision: Oldham

Block(s) _____ Lot(s) 10 Plat Book: _____ Page Number: _____

DEED RECORDS: (REFERENCE OF DEED CONVEYING PROPETY TO THE PRESENT OWNER):

VOLUME: _____ PAGE: _____ OF COUNTY PLAT RECORDS

OTHER PROVISIONSIs Property in an Overlay District? X Yes No UnknownTYPE OF OVERLAY ZONE(S) (if applicable) Historic; City Center OverlayFLOOD PLAIN (What, if any, flood zone does your property occupy?): NoELECTRIC UTILITY PROVIDER: Pedernales ElectricWATER UTILITY PROVIDER: City of WimberleyWASTEWATER UTILITY PROVIDER: Aqua TexasHAYS COUNTY SEPTIC PERMIT NUMBER (if applicable): NA**SITE INSPECTION AUTHORIZATION**

Applicant, Owner, or Applicant's authorized agent hereby authorizes the City of Wimberley representatives to visit and inspect the property for which this application is being submitted.

Date: 10/13/2023APPLICANT SIGNATURE 

WHEN APPLICABLE:

Date: 10/13/2023AGENT SIGNATURE **ACKNOWLEDGMENT OF EXISTING**

Subdivision Plat Notes, Deed Restrictions Restrictive Covenants and/or
Zoning Conditional Use Permits

I, the Applicant herein, have checked the subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional use permits prohibiting certain uses and/or requiring certain development restrictions (for example, height, access, screening) on the property now being zoned on my behalf and located at: 151 Old Kyle Rd., Wimberley TX 78676, and more particularly known as Lot 10, Block of the Oldham Subdivision.

If a conflict should result with the request, I am submitting to the City of Wimberley due to subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional use permits it will be my responsibility to resolve it. I also acknowledge that I understand the implications of use and/or development restrictions that are a result of subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional use permits.

I understand that if requested, I must provide copies of all subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional use permit information, which may apply to this property.

Date: 10/13/2023APPLICANT SIGNATURE 

WHEN APPLICABLE:

Date: 10/13/2023AGENT SIGNATURE 

Forms & Applications October 2021

SUBMITTAL CHECKLIST

TO ENSURE THAT YOU HAVE COMPLIED WITH THE ZONING APPLICATION REQUIREMENTS, REVIEW THE FOLLOWING LIST. FAILURE TO COMPLETE THE NECESSARY STEPS CAN CAUSE A DELAY IN PROCESSING YOUR APPLICATION.

- ☐ Complete "Application for Zoning"
- ☐ Provide plat map of property to be zoned which includes all properties within 200 feet of any portion of Applicant's property; and which clearly indicates streets in surrounding area.
- ☐ Provide plat map of the specific property to be zoned.
- ☐ Provide names and addresses of property owners within 200 feet of any portion of Applicant's property.
- ☐ Provide a legal description of the property to be zoned.
- ☐ Sign/date Submittal Verification form.
- ☐ Sign/date Site Inspection Authorization form.
- ☐ Sign/date Acknowledgement Form.
- ☐ Pay Zoning Fee (this fee is based on the cost of services incurred by the City of Wimberley in reviewing, processing, and recording the zoning request).
- ☐ Applicant agrees to attend a pre-zoning conference prior to acceptance of Application.
- ☐ Applicant agrees to attend Planning & Zoning Commission hearings scheduled for Applicant's proposed zoning.
- ☐ Applicant agrees to attend City Council hearing scheduled for Applicant's proposed zoning or waives his/her rights of appearance (see below).

Related Cases, If Applicable

- | | |
|--|----------------|
| ☐ Zoning | File No. _____ |
| ☐ Building Permit | File No. _____ |
| ☐ Subdivision | File No. _____ |
| ☐ Sign Permit | File No. _____ |
| ☐ Engineered construction | File No. _____ |

SUBMITTAL VERIFICATION AND/OR WAIVER OF APPEARANCE

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 representative, may delay the review of the Application.

I hereby waive my right to appear before the City of Wimberley City Council at the public hearing to be held concerning the zoning of my above-referenced property. I understand that my failure to appear allows the Council to consider my zoning request; however, if questions are raised that cannot be answered, the matter will be continued.

Date: 10/13/2023

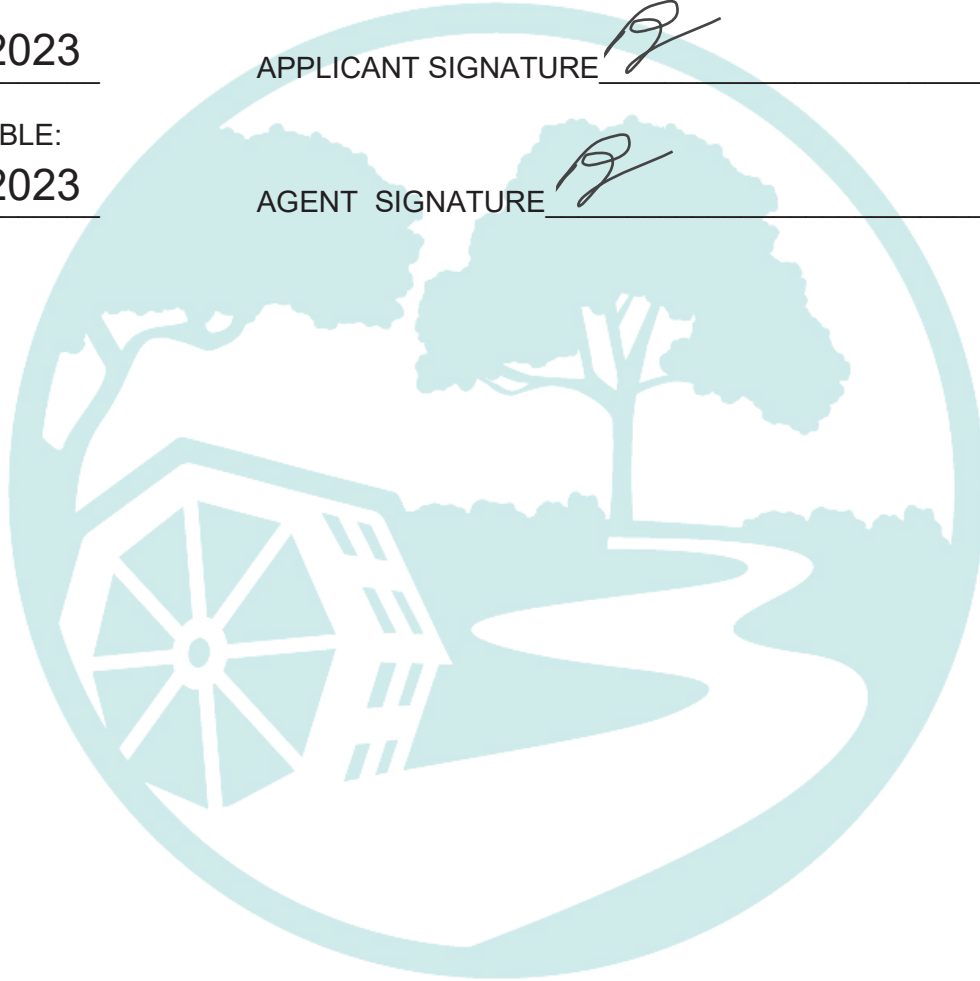
APPLICANT SIGNATURE



WHEN APPLICABLE:

Date: 10/13/2023

AGENT SIGNATURE



DEER LAKE ROAD
(OLD WIMBERLEY-KYLE ROAD)

(N 78°12' E 60.00')
N 75°48'49" E 59.96'

JOHN DUNN JR. TO
WIMBERLEY J&G LTD.
LESS & EXCEPT
0.015 ACRES

D/E/TEL/CBL

14.0'
COVERED PORCH

27.8'
ONE STORY FRAME HOUSE

15.7'
PORCH
12.1'

JOHN F. DUNN, JR. TO
WIMBERLEY J&G LTD.
0.23 ACRES

SEWAGE TANK

LARRY FOWLER et al TO
JOHN DUNN JR. et al
0.01 ACRES

JOHN DUNN JR. TO
WIMBERLEY J&G LTD.
0.012 ACRES

JOHN DUNN et al TO
EL DONADO TRADING POST
0.01 ACRES

JOHN DUNN et al TO
EL DONADO TRADING POST
0.00 ACRES

ORIGINAL SCALE
1" = 10'

LEGEND

- HAYS COUNTY PLAT RECORDS
- HAYS COUNTY DEED RECORDS
- IRON ROD FOUND
-
- CALCULATED POINT
- WIRE FENCE
- CHAIN LINK FENCE
- OVERHEAD UTILITIES/POLE

SURVEYOR'S NOTES

1. THIS SURVEY WAS MADE IN CONJUNCTION WITH A TITLE COMMITMENT OF JEL BRIDGES DATED JANUARY 6, 2009 AND PREPARED BY HAYS COUNTY AND TRACT DEPEND.
2. ACCORDING TO THE FEMA FLOOD INSURANCE RATE NO ADDITIONAL FLOODING IS NOT WITHIN THE AREA OF THIS TRACT.
3. REMEDIES AND DISTANCES IN PARENTHESES ARE RECORD INFORMATION.
4. THIS LOT IS SUBJECT TO A BLANKET EASEMENT TO DEAN, BOYD AND TRACY AS APPLICABLE IN VOLUME 27, PAGE 187 OF THE HAYS COUNTY REAL PROPERTY RECORDS.

JOHN DUNN et al TO
EL DONADO TRADING POST
0.00 ACRES

A SURVEY
0.227 ACRES OF LAND
OUT OF LOT 10 OF THE
CHARLES & OLLIE OLDHAM SUBDIVISION
IN THE AMASA TURNER SURVEY # 1
WIMBERLEY, TEXAS

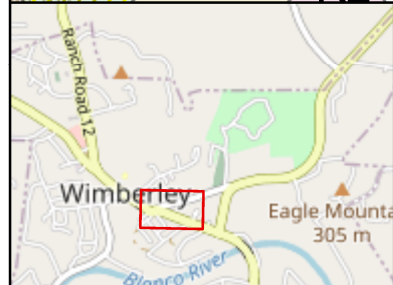
FRONTIER
SURVEYING COMPANY
710 BUFFALO ST. SUITE 302
CORPUS CHRISTI, TX 78401
(512) 881-8044 FAX (512) 881-8340

DRAWN BY: ARL P.

DATE:

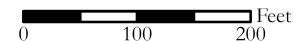
I, hereby certify that this plat is true and correct to the best of my knowledge and belief as shown on the ground January 28,

John Moore
John Moore
Registered Professional Land Surveyor
License Number: 330



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Coordinate System: NAD 1983 StatePlane Texas Central FIPS 4203 Feet





AGENDA ITEM:	1. Discuss and consider action on the Personnel Policy for the City of Wimberley. <i>(Tim Patek, City of Wimberley)</i>
SUBMITTED BY:	Tim Patek
DATE SUBMITTED:	07/19/2023
MEETING DATE:	November 16, 2023

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

The current personnel policy for the City is from 2008 and is in need of an update. This document was reviewed by city staff and the legal team. A personnel policy is designed to acquaint all employees of the City of Wimberley and provide information about working conditions, employee benefits, and policies affecting employment. This policy cannot anticipate every circumstance that may arise and, due to changes in state and federal employment laws, portions of these policies may be superseded by such new legislation and it is the intent of the city to monitor and follow any such legislation. The city reserves the right to revise, supplement, or rescind any policy or portion of the Personnel Policy Manual from time to time as it deems appropriate.

REQUESTED ACTION

Motion
Discussion

FINANCIAL

STAFF RECOMMENDATION

Approve the updated personnel policy as presented or make recommendations if necessary.

ATTACHMENT/S

None



AGENDA ITEM:	2. Discuss and consider possible action on Resolution No. 14-2023, designating authorized signatories for contractual and financial documents pertaining to the Community Development Block Grant Mitigation (CDBG-MIT) Resilient Communities Program through the General Land Office.
SUBMITTED BY:	
DATE SUBMITTED:	11/08/2023
MEETING DATE:	November 16, 2023

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

A resolution authorizing signatories for contractual documents related to the General Land Office CDBG-MIT Resilient Communities Program is required. The Mayor, Mayor Pro Tem and City Administrator will be the City's Authorized signatories related to this grant.

REQUESTED ACTION

Motion
Resolution

FINANCIAL

STAFF RECOMMENDATION

Approve

ATTACHMENT/S

1. Resolution No. 14-2023 (CDBG-MIT) Resilient Community Program Signatory

RESOLUTION NO. 14-2023

A RESOLUTION BY THE CITY OF WIMBERLEY, TEXAS CITY COUNCIL, DESIGNATING AUTHORIZED SIGNATORIES FOR CONTRACTUAL AND FINANCIAL DOCUMENTS PERTAINING TO THE COMMUNITY DEVELOPMENT BLOCK GRANT MITIGATION (CDBG-MIT) RESILIENT COMMUNITIES PROGRAM THROUGH THE GENERAL LAND OFFICE

WHEREAS, Wimberley, Texas has received a CDBG-MIT Resilient Communities Program grant award from the General Land Office for an updated Comprehensive Plan for the City of Wimberley, and;

WHEREAS, it is necessary to appoint persons to execute contractual documents and documents for requesting funds from the General Land Office, and;

WHEREAS, an original signed copy of the *Depository/Authorized Signatories Designation Form* is to be submitted with a copy of this Resolution, and;

WHEREAS, Wimberley, Texas acknowledges that in the event that an authorized signatory of the City changes (elections, illness, resignations, etc.), the City must provide the General Land Office with the following:

- a resolution stating who the new authorized signatory is (not required if this original resolution names only the title and not the name of the signatory); and
- a revised *Depository/ Authorized Signatories Designation Form*.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF WIMBERLEY, TEXAS, THAT:

The City Mayor, Mayor Pro Tempore, and the City Administrator will be authorized to execute *contractual documents* for the CDBG-MIT Resilient Communities Program through the General Land Office.

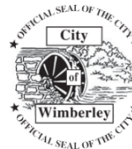
The City Mayor, Mayor Pro Tempore, and the City Administrator will be authorized to execute *financial documents* required for requesting funds approved in the CDBG-MIT Resilient Communities Program through the General Land Office.

PASSED AND APPROVED this 16th day of November 2023.

Gina V. Fulkerson, Mayor

ATTEST:

Tammy Heller, City Secretary





AGENDA ITEM:	3. Discuss and consider possible action on a Resolution and/or Council Letter to Texas State University expressing support for a public/parks use for the Texas State University Camp.
SUBMITTED BY:	
DATE SUBMITTED:	11/08/2023
MEETING DATE:	November 16, 2023

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

REQUESTED ACTION

FINANCIAL

STAFF RECOMMENDATION

ATTACHMENT/S

None



AGENDA ITEM:	1. Announcements
SUBMITTED BY:	
DATE SUBMITTED:	11/08/2023
MEETING DATE:	November 16, 2023

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

REQUESTED ACTION

FINANCIAL

STAFF RECOMMENDATION

ATTACHMENT/S

None



AGENDA ITEM:	2. Future Agenda Items
SUBMITTED BY:	
DATE SUBMITTED:	11/08/2023
MEETING DATE:	November 16, 2023

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

REQUESTED ACTION

FINANCIAL

STAFF RECOMMENDATION

ATTACHMENT/S

None