



City of Wimberley

221 Stillwater, Wimberley, Texas 78676

REGULAR PLANNING AND ZONING COMMISSION MEETING

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

THURSDAY, DECEMBER 14, 2023 - 6:00 PM

AGENDA

1. **CALL TO ORDER** December 14, 2023, at 6:00 PM
2. **CALL OF ROLL**
3. **CITIZENS COMMUNICATIONS**
This provides an opportunity for the citizens to comment on agenda and non-agenda items in advance of the regular business of the Planning and Zoning Commission. Those wishing to speak must sign-in before the meeting begins and observe a three-minute time limit when addressing the Board. Speakers will have one opportunity to speak during the time period. Comments from speakers should not be directed towards any specific member of the Board or City staff. Comments should not be accusatory, derogatory or threatening in nature.
4. **MINUTES**
 - 4.1. Consider approval of the November 9, 2023, Regular Planning & Zoning Commission meeting minutes.
5. **PUBLIC HEARING AND POSSIBLE ACTION**
 - 5.1. Hold a public hearing and consider making a recommendation to City Council regarding case CUP-23-018, an application for a Conditional Use Permit to install a transmitter tower at 111 Old Kyle Rd, Wimberley, Texas.
6. **DISCUSSION AND POSSIBLE ACTION**
 - 6.1. Discuss board meeting protocol and methods for reducing tension during contentious items.(Commissioner McCracken)
7. **BOARD MEMBER REPORTS**
 - 7.1. Announcements
 - 7.2. Future Agenda Items
8. **ADJOURNMENT**

EXECUTIVE SESSION NOTE: The Planning and Zoning Commission 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.

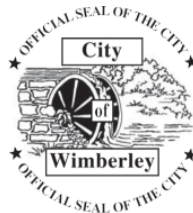
CERTIFICATION

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 Monday, December 11, 2023 by 6:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.



Nathan Glaiser
Director of Planning & Public Works

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 November 9, 2023, Regular Planning & Zoning Commission meeting minutes.
SUBMITTED BY:	
DATE SUBMITTED:	12/05/2023
MEETING DATE:	December 14, 2023

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

REQUESTED ACTION

FINANCIAL

STAFF RECOMMENDATION

ATTACHMENT/S

1. 11-09-2023 Regular Meeting Minutes



City of Wimberley

221 Stillwater, Wimberley, Texas 78676

REGULAR PLANNING AND ZONING COMMISSION MEETING

WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS

221 STILLWATER, WIMBERLEY, TEXAS 78676

THURSDAY, NOVEMBER 9, 2023 - 6:00 PM

MINUTES

1. CALL TO ORDER November 9, 2023, at 6:00 PM

Chair Austin Weeks called the meeting to order at 6 P.M.

2. CALL OF ROLL

Commissioners Present:
Austin Weeks, Chair
Anne Ulfelder, Vice Chair
David Hester
Bob Clark
Vance McCracken
Michael Rambo
Jerry Lunow

Staff Present:
Nathan Glaiser, Director of Planning and Public Works
Alexis Esparza, Permit Coordinator
Tim Patek, City Administrator
Kenneth Lavergne, City Attorney

3. CITIZENS COMMUNICATIONS

No citizen comments this evening.

4. MINUTES

4.1. Consider approval of the September 14, 2023, Regular Planning & Zoning Commission meeting minutes.

A motion was made by Commissioner Hester, seconded by Commissioner Clark, to approve the minutes from the September 14, 2023 Regular Planning and Zoning Commission Meeting. The motion carried unanimously (7-0).

5. DISCUSSION AND POSSIBLE ACTION

- 5.1.** Hold a public hearing and consider making a recommendation to City Council regarding case CUP-23-014, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) at 213 Blue Hole Ln, Wimberley, Texas.

Nathan Glaiser, Director of Planning and Public Works, provided a presentation on Case CUP-23-014, a Conditional Use Permit application that would allow for the operation of a Vacation Rental (STR2) on a property located at 213 Blue Hole Ln, Wimberley, Texas.
One letter of support was received.

Zachary Lowe, the applicant, spoke in support of the request and answered questions presented by the commissioners.

Chair Weeks opened the Public Hearing at 6:07 p.m. There being no comments, the Public Hearing was closed at 6:07 p.m.

Upon completion of discussion, a motion was made by Commissioner Hester, seconded by Commissioner Ulfelder to approve a recommendation to City Council on case CUP-23-014, an application for a conditional use permit to allow for the operation of a Vacation Rental (STR2) on a property located at 213 Blue Hole Ln, Wimberley, Texas. the motion carries unanimously (7-0).

- 5.2.** Hold a public hearing and consider making a recommendation to City Council regarding case CUP-23-015, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) at 900 FM 2325, Wimberley, Texas.

Nathan Glaiser, Director of Planning and Public Works, provided a presentation on Case CUP-23-015, a Conditional Use Permit application that would allow for the operation of a Vacation Rental (STR2) on a property located at 900 FM 2325, Wimberley, Texas.

Scott Baker, the applicant, spoke in support of the request and answered questions presented by the commissioners.

Chair Weeks opened the Public Hearing at 6:15 p.m. There being no comments, the Public Hearing was closed at 6:15 p.m.

Upon completion of discussion, a motion was made by Commissioner Ulfelder, seconded by Commissioner Lunow to approve a recommendation to City Council on case CUP-23-015, an application for a conditional use permit to allow for the operation of a Vacation Rental (STR2), not including the storage facility, on a property located at 900 FM 2325, Wimberley, Texas. The motion carries unanimously (7-0).

- 5.3.** Hold a public hearing and consider making a recommendation to City Council regarding case CUP-23-016, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) at 100 Box Canyon, Wimberley, Texas.

Nathan Glaiser, Director of Planning and Public Works, provided a presentation on Case CUP-23-016, a Conditional Use Permit application that would allow for the operation of a Vacation Rental (STR2) on a property located at 100 Box Canyon, Wimberley, Texas.

Jessica Verma, the applicant, spoke in support of the request and answered questions presented by the commissioners.

Chair Weeks opened the Public Hearing at 6:25 p.m.

Those who spoke:

Elis, 221 Box Canyon Rd, spoke in support.

Patty Quartararo, submitted support.

There being no further comments, Chair Weeks closed the Public Hearing at 6:29 p.m.

Upon completion of discussion, a motion was made by Commissioner McCracken, seconded by Commissioner Clark to approve a recommendation to City Council on case CUP-23-016, an application for a conditional use permit to allow for the operation of a Vacation Rental (STR2) with the condition of an approved adequate OSSF on a property located at 100 Box Canyon, Wimberley, Texas. The motion carries unanimously (7-0).

- 5.4. Hold a public hearing and consider making a recommendation to City Council regarding case ZA-23-005, an application for a zoning amendment 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 Public Works, provided a presentation on Case ZA-23-005, a Zoning Amendment application that would change the zoning from Commercial Low Impact (C-1) to Commercial High Impact (C-3) on a property located at 151 Old Kyle Rd, Wimberley, Texas. Staff recommends approval.

Phil Giglio, the applicant, spoke in support of the request and answered questions presented by the commissioners.

Chair Weeks opened the Public Hearing at 6:39 p.m. There being no comments, Chair Weeks closed the Public Hearing at 6:39 p.m.

Upon completion of discussion, a motion was made by Commissioner Hester, seconded by Commissioner McCracken to approve a recommendation to City Council on case ZA-23-005, an application for a zoning amendment to change zoning from Commercial Low Impact (C-1) to Commercial High Impact (C-3) on a property located at 151 Old Kyle Rd, Wimberley, Texas. The motion carries unanimously (7-0).

6. **BOARD MEMBER REPORTS**

6.1. Announcements

Nathan Glaiser, Planning and Public Works Director, announced the City of Wimberley partnered with Lanford for a General Land Office Grant and were awarded \$300,000 to rewrite our comprehensive plan. This will take place over the next 18 months. The City was also awarded a 1.4 million dollar grant from TxDOT to install sidewalks along Ranch Road 12.

6.2. Future Agenda Items

McCracken proposed an agenda item to discuss methods to handle contentious items.

7. **ADJOURNMENT**

Chair Weeks adjourned the meeting at 6:48 p.m.

RECORDED BY:

Planning & Zoning Commission Staff Liaison



APPROVED BY:

Planning & Zoning Commission Chairperson



AGENDA ITEM:	CUP-23-018 – Telecommunications Tower
SUBMITTED BY:	Nathan Glaiser, Planning and Public Works Director
DATE SUBMITTED:	November 20 , 2023
MEETING DATE:	December 14, 2023 (P&Z) / January 4, 2024 (City Council)

REPORT

ITEM

The applicants, KVVH LP Wimberley Valley Radio, have requested a Conditional Use Permit to install a transmitter tower on property located at 111 Old Kyle Rd, Wimberley. The property is known as the Lumberyard and is zoned Commercial High Impact 3. It currently has multiple buildings on the property, including a restaurant, retail stores, and offices. The Wimberley Valley Radio station has its studio on the property. They are requesting the installation of a 50' transmitter tower in order to expand their reach within the valley.

PROPERTY INFORMATION

Property Description

Applicant(s):	KVVH Wimberley Valley Radio
Property Address:	111 Old Kyle Rd
Property Owner:	Buck Baccus
Legal Description:	Amasa Turner Survey Abstract 461
Property Size:	.92 acres
Existing Use of Property:	Commercial
Existing Zoning:	C3
Shared Infrastructure	None
Request:	Transmitter Towner (communication tower)
Planning Area:	V
Overlay District:	City Center

Surrounding Property:

Frontage: Old Kyle Rd

**Surrounding Zoning
& Land Use**

North of Property

Current Zoning:
PR1

Existing Land Use:
Park

South of Property	C3	Commercial
East of Property	PR1	Park
West of Property	PR1	Park

COMMENTS

Staff has not received any comments from citizens as of 12/12/2023.

LEGAL NOTICE

Surrounding Neighbor Notification Letters (200'): November 30, 2023
Published Legal Notice (Wimberley View): December 7, 2023

ATTACHMENT/S

- Application
- Zoning Map



Conditional Use Permit
Planning & Development

FOR OFFICE USE ONLY

Date: _____ CUP - _____ - _____ Staff Review _____

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

Applicant: KWVH LP Wimberley Valley Radio

Mailing Address: 111 Old Kyle Road #108 City: Wimberley State: TX Zip: 78676

Phone: [REDACTED] Email: [REDACTED]

OWNER'S INFORMATION

Property Owner: Buck Baccus

Mailing Address: 111 Old Kyle Road #204 City: Wimberley State: TX Zip: 78676

Phone: [REDACTED] Email: [REDACTED]

PROJECT SITE ADDRESS: 111 Old Kyle Road #108, Wimberley, TX 78676

Legal description: A0461 AMASA TURNER SURVEY, TRACT 1 & 2, ACRES 0.9152

Total Acreage or Square Footage: _____ Deed recorded in: 4/30/2015

Hays CAD Parcel ID R- R18409 Planning Area: _____ Zoning: _____

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

SPECIFIC CONDITIONAL USE REQUEST: Installation of Transmitter Tower

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: PUBLIC / AQUA

Wastewater Service or Septic Permit No. _____

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

CONDITIONAL USE PERMIT (CUP) SUBMITTAL CHECKLIST

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

MY REQUEST IS BASED ON THE FOLLOWING:

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

SUBMITTAL VERIFICATION

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

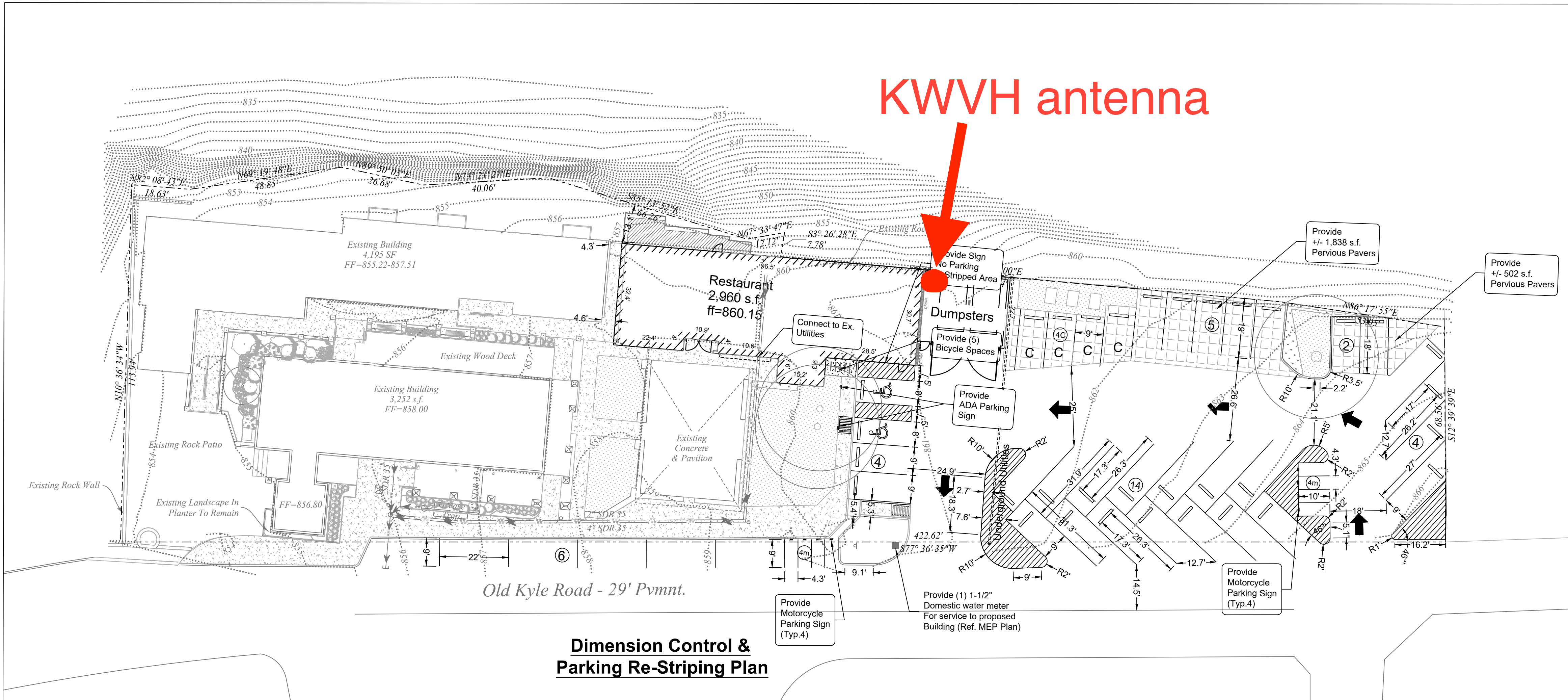
Applicant's Signature: _____



Date: 11-20-23

Forms & Applications October 2021 2

ORIGINAL LAYOUT SIZE - 24x36
@2022 H:\BUILFILES\BAC\BUCK BACCUS\BAC 70375 (THE LUMBERYARD)\04 CAD\PILOT SHEETS\DIMENSIONAL CONTROL.DWG 6/3/2022 8:37 AM Laurie Welch



Curb Note
All proposed curbing shall be constructed as a 6" catch curb with bottom of curb at existing grade.

Handicap Parking and Accessible Route Notes

1. All handicapped parking spaces are to be signed as per City of Wimberly Specifications for van-accessible parking.
2. Each accessible parking space must be identified by a sign centered at a minimum of five feet above the parking surface at the head of the parking space. The sign must include the international symbol of accessibility and state "Reserved" or equivalent language and must not be obscured by a vehicle parked in the accessible space.
3. The maximum longitudinal slope and cross slope for the handicapped space and aisle is 2%.
4. All curb ramps will have a detectable warning texture extending the full width of the ramp including flares.
5. The slope for accessible routes can not exceed 5% along the horizontal slope and 2% for the cross-slope.
6. A minimum vertical clearance of 11'4" must be provided at accessible passenger loading zones and along vehicle access routes to such areas from site entrances. A minimum vertical clearance of 9'8" must be provided for van-accessible parking spaces and along the vehicular thereto.

Parking Note
All spaces denoted with M on Dimensional Control Plan are motorcycle parking spaces and should be marked "Motorcycle Parking Only". All spaces denoted with C on Dimensional Control Plan are Compact parking spaces and should be marked "Compact Parking Only".

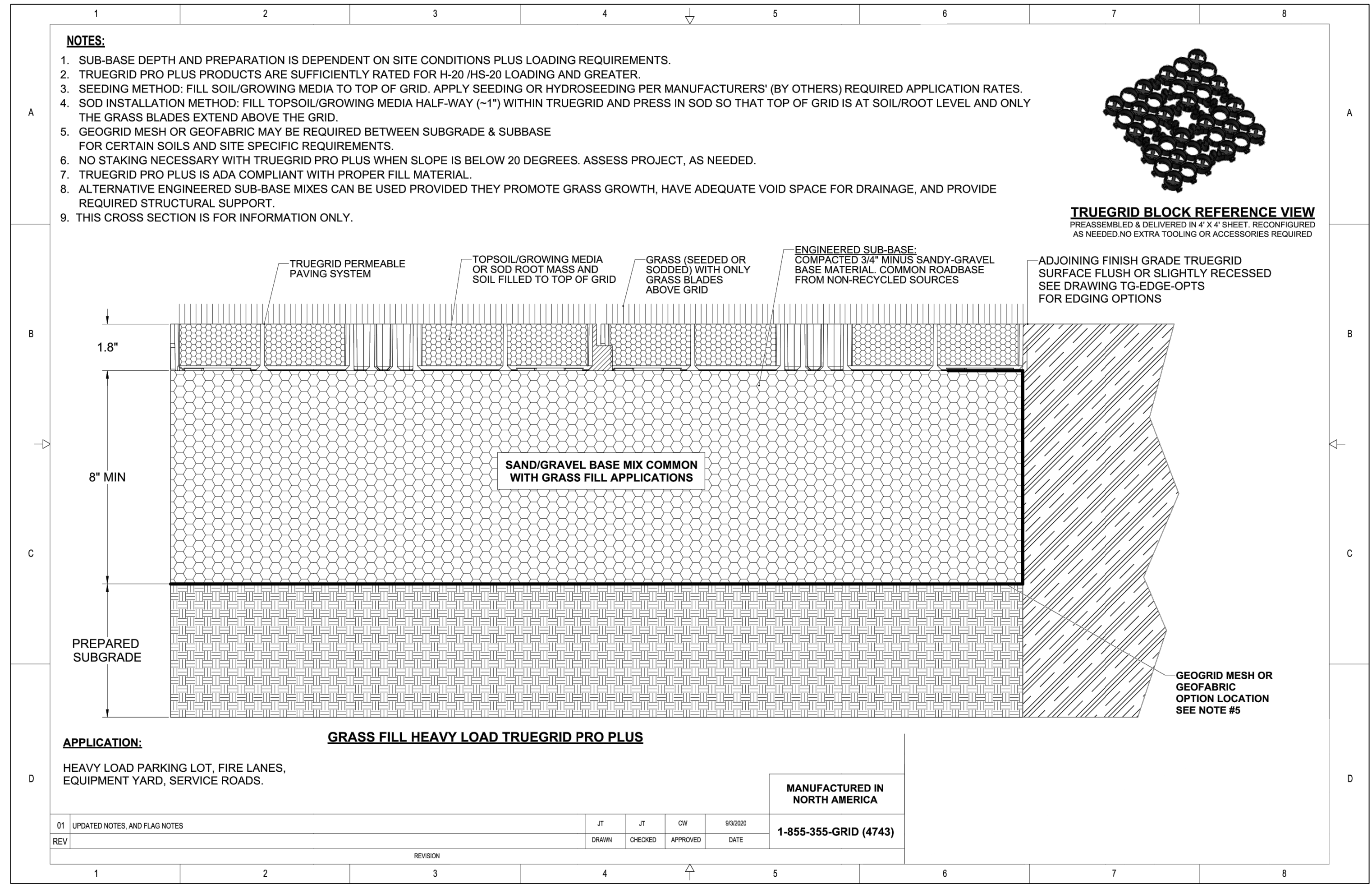
Parking Data				
Land Use	Sq. Ft.	Required Ratio	Spaces Req.	Spaces Provided
Office	3,257	1:300	* 8.14	8
Commercial	5,434	1:200	*20.38	21
Restaurant Sitting	1,865	1:100	*13.99	14
			42.51	43

Parking Provided:

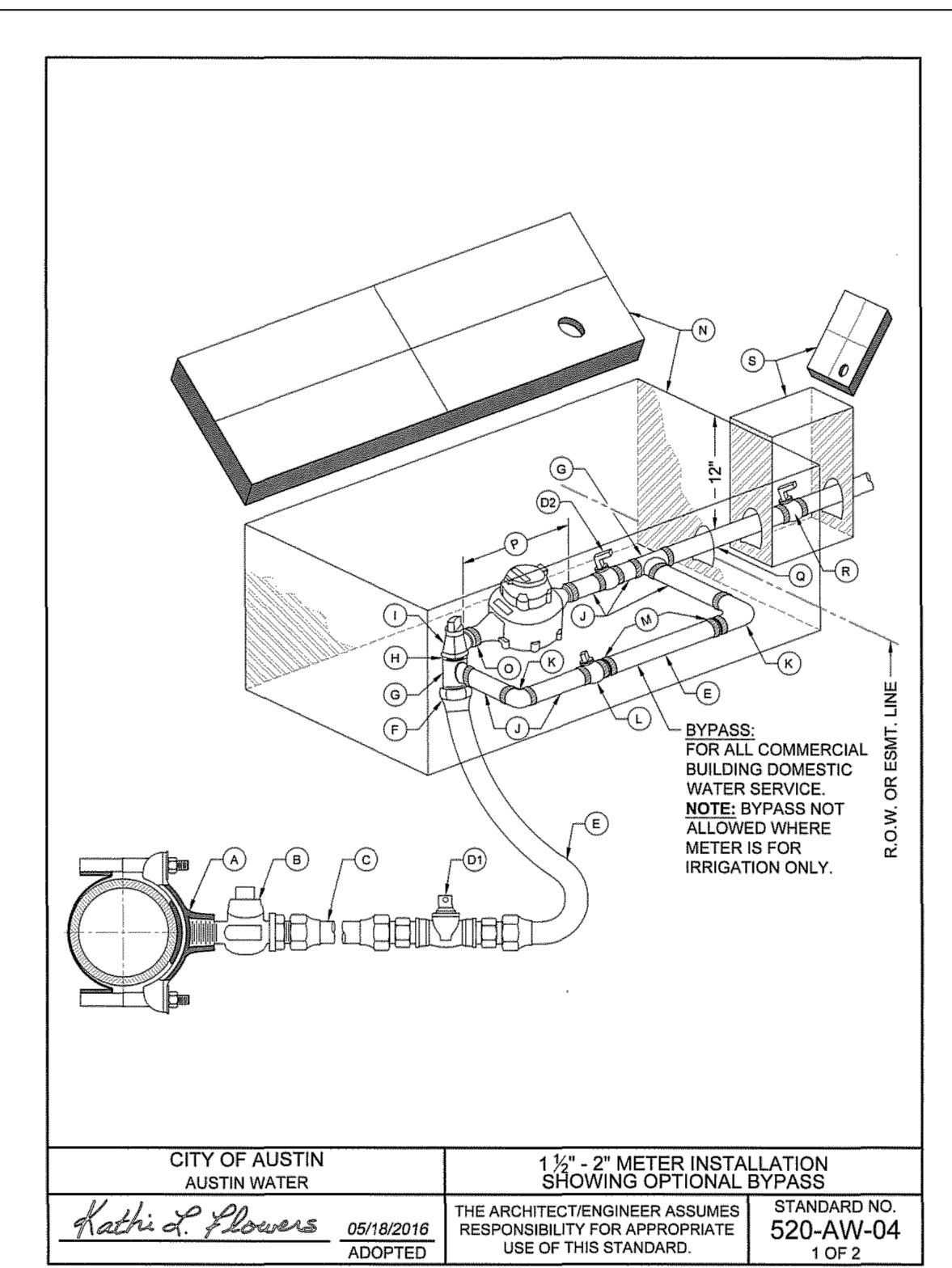
5	Bicycle			
8 (= 4 Comp.)	Motorcycle (4'x9' min.) (2 M spaces = 1 Comp. space)			* 25% reduction per Sec. 9.03.181(g)(D)
2	Handicap (9'x18' min.) (1 Van) ***			*** Waiver requested for parking space sizing, Sec. 9.03.181(c)(5).
6	Parallel (9'x22' min.) ***			
27	Regular (9'x18' min.) ***			
4	Compact (9'x17' min.) ***			
43				

Impervious Cover Calculations				
Site area	40,483.78 s.f.	0.929 ac.		
Existing Impervious Cover	32,670.24 s.f.	0.750 ac.	80.70% G.S.A.	
Total Proposed Imper. Cover				
Buildings	33,416.68 s.f.	0.767 ac.	82.54% G.S.A.	
Walks & Drives	10,407.00 s.f.			
Pervious Pavers	21,839.68 s.f.			
Net Increase Imper. Cover	2,340 s.f. @ 50% = 1,170 s.f. Impervious			
	+ 746.44 s.f.			

RATIONAL METHOD RUNOFF CALCULATIONS									
	Area (ac.)	Imper. Cover	Imper. Area (ac.)	Pervious Area (ac.)	Tc	Lag	CN	Coefficient	Intensity (in/hr)
Existing	0.93 (0.00145)	80.73	0.75	0.18	5	6	94.5	0.83	15.24
Developed	0.93 (0.00145)	82.54	0.77	0.16	5	6	94.9	0.85	15.24
									11.77
									11.99



'TRUGRID' or Equivalent



MATERIALS LIST:

- A. 2" SERVICE CLAMP
- B. 2" CORPORATION STOP MALE THREAD INLET BY COMPRESSION OUTLET
- C. 2" COPPER WATER SERVICE TUBING EXTENDED BEYOND PAVEMENT
- D1. 2" BALL VALVE, SPL WW-275
- D2. 2" BALL VALVE, SPL WW-275
- E. 2" COPPER SERVICE TUBING
- F. 2" BRASS COUPLING - COMPRESSION TO MALE IPT
- G. 2" BRASS TEE
- H. 2" BRASS CLOSE NIPPLE
- I. 2" ANGLE METER STOP: SERVICE TUBING INLET x FLANGED OUTLET
- J. 2" BRASS NIPPLE
- K. 2" BRASS ELBOW
- L. 2" LOCKABLE CURB STOP - FEMALE IPT INLET BY COMPRESSION OUTLET
- M. 2" BRASS COUPLING - SERVICE TUBING TO MALE IPT
- N. RECTANGULAR METER BOX AND COVER, SPL WW-145A
- O. BRASS ADAPTER (2" x 1 1/2") FOR 1 1/2" METER ONLY
- P. WATER METER, LENGTH 13" (PURCHASED FROM AUSTIN WATER)
- Q. 2" COPPER SERVICE TUBING (PRIVATE PLUMBING PER CODE)
- R. CUSTOMER CUT-OFF VALVE
- S. CUSTOMER VALVE BOX AND LID

NOTES:

1. SERVICE CLAMP SHALL BE WRAPPED COMPLETELY WITH 8 MIL. POLYETHYLENE FILM.
2. BRANCH CONNECTIONS AND ALL ANGLE METER STOPS MUST BE INSTALLED PRIOR TO ANY METER INSTALLATION.
3. TOP OF BOXES SHOULD BE 1" ABOVE GROUND.
4. PIPING AND TUBING IN STREET RIGHT-OF-WAY SHALL BE BEDDED IN GRANULAR MATERIALS AS REQUIRED BY SECTION 510.3 (14) OF THE CITY OF AUSTIN STANDARD SPECIFICATIONS; BACKFILL ABOVE GRANULAR BEDDING AS REQUIRED BY SECTION 510.3 (25).
5. BOX MUST BE BEHIND CURB NEXT TO PROPERTY LINE OR EASEMENT AND OUT OF VEHICULAR TRAFFIC AREA AND SIDEWALK.
6. BALL VALVE "D1" SHALL NOT BE LOCATED UNDER SIDEWALK, CURB, OR PAVEMENT, AND NOT BE LOCATED MORE THAN 24" HORIZONTALLY FROM METER BOX OR 36" BELOW FINAL GRADE.
7. COPPER SERVICE SHALL BE COPPER TUBING SIZE ANNEALED SEAMLESS TYPE "K" MEETING ASTM B88 WITH NO SWEAT OR SOLDERED JOINTS.

RECLAIMED WATER:

FOR RECLAIMED WATER SERVICES AND METERS, ALL RECLAIMED TUBING SHALL BE MANUFACTURED PURPLE TUBING. ALL OTHER TUBING AND APPURTENANCES SHALL BE MANUFACTURED PURPLE IF AVAILABLE. ALL TUBING AND FITTINGS THAT ARE NOT AVAILABLE FROM THE MANUFACTURER IN PURPLE SHALL BE PAINTED PURPLE PER SPL WW-3C. ALL BURIED DI AND CI PIPE AND FITTINGS SHALL ALSO BE WRAPPED IN PURPLE POLYETHYLENE PER SPL WW-27D. ALL COVERS SHALL HAVE "RECLAIMED WATER" CAST INTO THEM.

CITY OF AUSTIN
AUSTIN WATER

Kathi L. Flowers 05/18/2016 ADOPTED

THE ARCHITECT/ENGINEER ASSUMES RESPONSIBILITY FOR APPROPRIATE USE OF THIS STANDARD.

STANDARD NO. 520-AW-04
2 OF 2

Scale 1" = 20'

BUCK BACCUS
BACCUS CAPITAL INVESTMENTS
111 OLD KYLE ROAD, SUITE 204
WIMBERLY, TEXAS 76676
(512) 450-8145

BLEYL ENGINEERING
PLANNING • DESIGN • MANAGEMENT
7701 San Felipe Blvd., Suite 200, Austin TX 78729
Texas Firm Registration No. F-678
Tel. 512-454-2400
www.bleylengineering.com

Dimension Control & Parking Re-Striping Plan

The Lumberyard
111 Old Kyle Road
Wimberly, Texas 76676
Hays County

STEVEN L. HINN
REGISTERED PROFESSIONAL ENGINEER
81976
6/3/22

Design: LW
CAD: DM Review: SLI
Project No: BAC 70375
Sheet: 4 of 7

Texas 811
Call Before You Dig!!

The location of all existing utilities shown on these plans has been based upon record information only and may not match locations as constructed. The contractor shall contact Texas 811 for assistance in determining existing utility locations prior to beginning construction. Contractor shall field verify locations of utility crossings prior to beginning construction.

Release of this application does not constitute a verification of all data, information and calculations supplied by the applicant. The engineer of record is solely responsible for the completeness, accuracy and adequacy of his/her submittal, whether or not the application is reviewed for Code compliance by City engineers.