



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, MAY 9, 2024 - 6:00 PM

AGENDA

1. **CALL TO ORDER** May 9, 2024, 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 April 11, 2024, 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-24-002, an application for a Conditional Use Permit to allow for the operation of a Short Term Rental One (STR1) at 1604 Little Ranches Road, Wimberley, TX.

6. **BOARD MEMBER REPORTS**

6.1. Announcements

6.2. Future Agenda Items

7. **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.

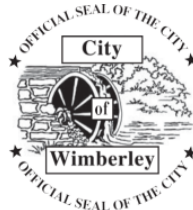
CERTIFICATION

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 DAY, MONTH DD, YYYY, 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.





City of Wimberley

221 Stillwater, Wimberley, Texas 78676

REGULAR - AMENDED PLANNING AND ZONING COMMISSION MEETING

WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS

221 STILLWATER, WIMBERLEY, TEXAS 78676

THURSDAY, APRIL 11, 2024 - 6:00 PM

MINUTES

1. CALL TO ORDER April 11, 2024, at 6:00 PM

Chair Weeks called the meeting to order at 6:00 p.m.

2. CALL OF ROLL

Commissioners Present:

Austin Weeks, Chair
Anne Ulfelder, Vice Chair
David Hester
Robert Clark
Vance McCracken
Michael Rambo

Staff Present:

Nathan Glaiser, Planning and Public Works Director
Alexis Esparza, Permit Coordinator
Lee Simmons, City Attorney

Commissioners Absent:

Jerry Lunow

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.

There were no citizen comments this evening.

4. MINUTES

- 4.1.** Consider approval of the February 8, 2024, Regular Planning & Zoning Commission meeting minutes.

A motion was made by Commissioner Ulfeder, seconded by Commissioner Clark, to approve the February 8, 2024, Regular Planning & Zoning Commission meeting minutes. The motion carried unanimously. (6-0)

5. DISCUSSION AND POSSIBLE ACTION

- 5.1.** Discuss and consider possible action on a replat of Brinkley Reserve, Paradise Valley Section 2, located at 263 Blanco Drive.

Nathan Glasier, Planning and Public Works Director, gave a presentation regarding the replat of Brinkley Reserve, Paradise Valley Section 2, located at 263 Blanco Drive.

Upon completion of discussion, a motion was made by Commissioner McCracken, seconded by Commissioner Ulfeder to approve the replat of Brinkley Reserve, Paradise Valley Section 2, located at 263 Blanco Drive, as presented. The motion carried unanimously (6-0).

- 5.2.** Discuss and consider possible action on a replat of Lot 9B, Replat of Lot 9, Green Acres Section 1, located at 790 Green Acres Drive.

Nathan Glasier, Planning and Public Works Director, gave a presentation regarding the replat of Lot 9B, Replat of Lot 9, Green Acres Section 1, located at 790 Green Acres Drive.

Upon completion of discussion, a motion was made by Commissioner Ulfelder, seconded by Commissioner Hester to approve the replat of Lot 9, Green Acres Section 1, located at 790 Green Acres Drive, as presented. The motion carried unanimously (6-0).

- 5.3.** Discuss and consider possible action on a replat of Canyon Oaks Lot 2 by adding portions of an 8.6923 acre tract out of the John Warren Survey, Abstract 484, located at 660 and 700 Wayside Drive.

Nathan Glasier, Planning and Public Works Director, gave a presentation regarding the replat of Canyon Oaks Lot 2 by adding portions of an 8.6923 acre tract out of the John Warren Survey, Abstract 484, located at 660 and 700 Wayside Drive.

Upon completion of discussion, a motion was made by Commissioner Clark, seconded by Commissioner Ulfelder to approve the replat of Canyon Oaks Lot 2 by adding portions of an 8.6923 acre tract out of the John Warren Survey, Abstract 484, located at 660 and 700 Wayside Drive, as presented. The motion carried unanimously (6-0).

- 5.4.** Discuss and consider possible action on a plat of T. Baker Estates, being part of a an 8.6923 acre tract of land and all of a 0.2 acre tract of land out of the John Warren Survey, Abstract 484, located at 700 Wayside Drive.

Nathan Glasier, Planning and Public Works Director, gave a presentation regarding the replat of T. Baker Estates, being part of an 8.6923 acre tract of land and all of a 0.2 acre tract of land out of the John Warren Survey, Abstract 484, located at 700 Wayside Drive.

Upon completion of discussion, a motion was made by Commissioner Hester, seconded by Commissioner McCracken to approve the replat of T. Baker Estates, being part of an 8.6923 acre tract of land and all of a 0.2 acre tract of land out of the John Warren Survey, Abstract 484, located at 700 Wayside Drive with the condition of receiving the approval letter from Hays County, as presented. The motion carried unanimously (6-0).

6. BOARD MEMBER REPORTS

6.1. Announcements

Nathan Glaiser, Planning and Public works Director, informed the Commissioners of the Comprehensive Plan that is being administered by Langford Community Management Services with the assistance of and the comprehensive plan stakeholder group that was appointed by City Council. He stated he will get the Planning and Zoning Commission involved soon as well.

6.2. Future Agenda Items

Nathan Glaiser, Planning and Public works Director, informed commissioners that there will be a meeting in May regarding one case.

7. ADJOURNMENT

Chair Weeks adjourned the meeting at 6:24 p.m.

RECORDED BY:

Planning & Zoning Commission Staff Liaison



APPROVED BY:

Planning & Zoning Commission Chairperson



AGENDA ITEM:	CUP-24-02 – Short Term Rental One
SUBMITTED BY:	Nathan Glaiser, Planning and Public Works Director
DATE SUBMITTED:	4/9/2024
MEETING DATE:	May 9, 2024 (P&Z) / May 16, 2024 (City Council)

REPORT

ITEM

The applicant, Russell Whisler, has requested a Conditional Use Permit to allow for the operation of a short-term rental one (owner present) on property located at 1604 Little Ranches, Wimberley. The property is 3 acres and zoned Rural Residential 1. There are two buildings on the property, a main residence and guest house. The applicants are requesting a short-term rental unit in the guest house while they occupy the main house. They are requesting a maximum of 6 guest. There is available parking on the property.

PROPERTY INFORMATION

Property Description

Applicant(s):	Russell Whisler
Property Address:	1604 Little Ranches
Property Owner:	Russell Whisler
Legal Description:	Flite Acres Little Ranches #2, Lot 30A
Property Size:	3 Acres
Existing Use of Property:	Single-family residential
Existing Zoning:	R1
Shared Infrastructure	None
Request:	Short term rental one
Planning Area:	I
Overlay District:	None

Surrounding Property:

Frontage:	Little Ranches
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Surrounding Zoning & Land Use

North of Property

Current Zoning:
R1

Existing Land Use:
Single Family
Residential

South of Property	R1	Single Family Residential
East of Property	R1	Single Family Residential
West of Property	ETJ	Residential

COMMENTS

Staff has not received any comments from citizens as of 4/29/2024

RECOMMENDATION

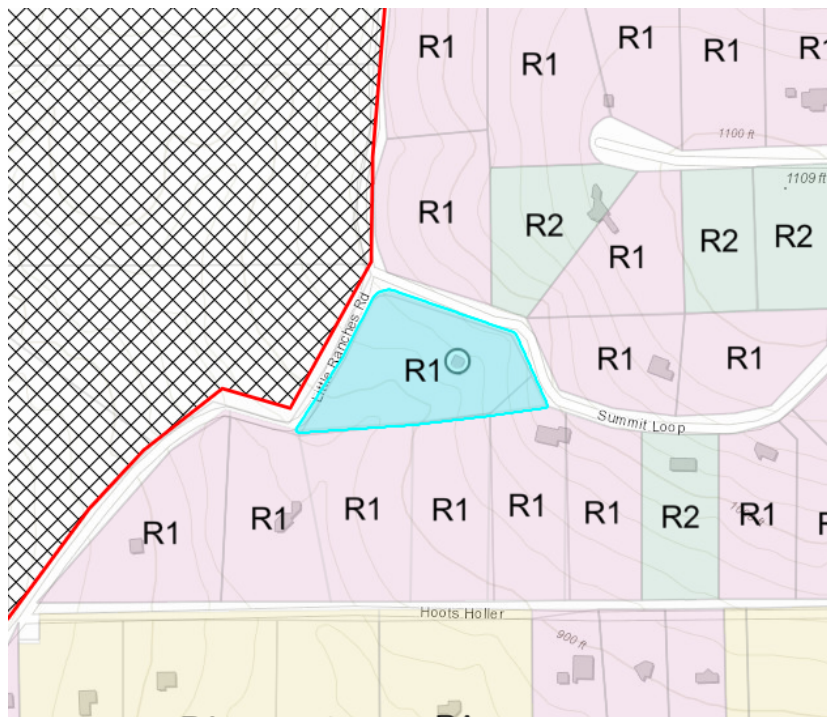
Staff defers to P&Z for their recommendation.

LEGAL NOTICE

Surrounding Neighbor Notification Letters (200'): April 26, 2024
Published Legal Notice (Wimberley View): April 25, 2024

ATTACHMENT/S

- Application





Conditional Use Permit
Planning & Development

FOR OFFICE USE ONLY

Date: _____ CUP - _____ - _____ Staff Review _____

P&Z Hearing: _____ Council Hearing: _____ Fees Paid (\$750): ☐ _____

Applicant: Russell Whisler

Mailing Address: 1604 Little ranches Rd City: Wimberley State: TX Zip: 78676

Phone: [REDACTED] Email: [REDACTED]

OWNER'S INFORMATION

Property Owner: Russell Whisler

Mailing Address: 1604 Little Ranches Rd City: Wimberley State: TX Zip: 78676

Phone: [REDACTED] Email: [REDACTED]

PROJECT SITE ADDRESS: 1604 Little Ranches Rd

Legal description: FLITE ACRES LITTLE RANCHES #2, Lot 30A, ACRES 3.0389

Total Acreage or Square Footage: 3ac Deed recorded in: Hays

Hays CAD Parcel ID R- R164633 Planning Area: _____ Zoning: R1

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

SPECIFIC CONDITIONAL USE REQUEST: STR1

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: COW

Wastewater Service or Septic Permit No. Septic 2021-05

*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: Russell Whisler Date: 4/9/2024

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

OWNER: Russell Whisler

LOCATION OF PROPERTY: 1604 Little Ranches Rd

LEGAL DESCRIPTION: FLITE ACRES LITTLE RANCHES #2, Lot 30A, ACRES 3.0389

PLANNING AREA: _____ PRESENT ZONING: R1

EXISTING USE: Residential

HOMEOWNERS ASSOCIATION CONTACT INFO: Russell Whisler

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

PROPERTY IN FLOODPLAIN? ☐ YES ☒ NO

GATED COMMUNITY OR PRIVATE STREET? ☒ YES ☐ NO

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

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

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

OFF-STREET PARKING: All parking will be off-street. 3 Off-street parking spaces will be provided for off-street guest parking, which will be adequate for a maximum occupancy of 6 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: 6 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 NA 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:

Russell Whisler

OWNER SIGNATURE

Russell Whisler

PRINT NAME

4/9/24

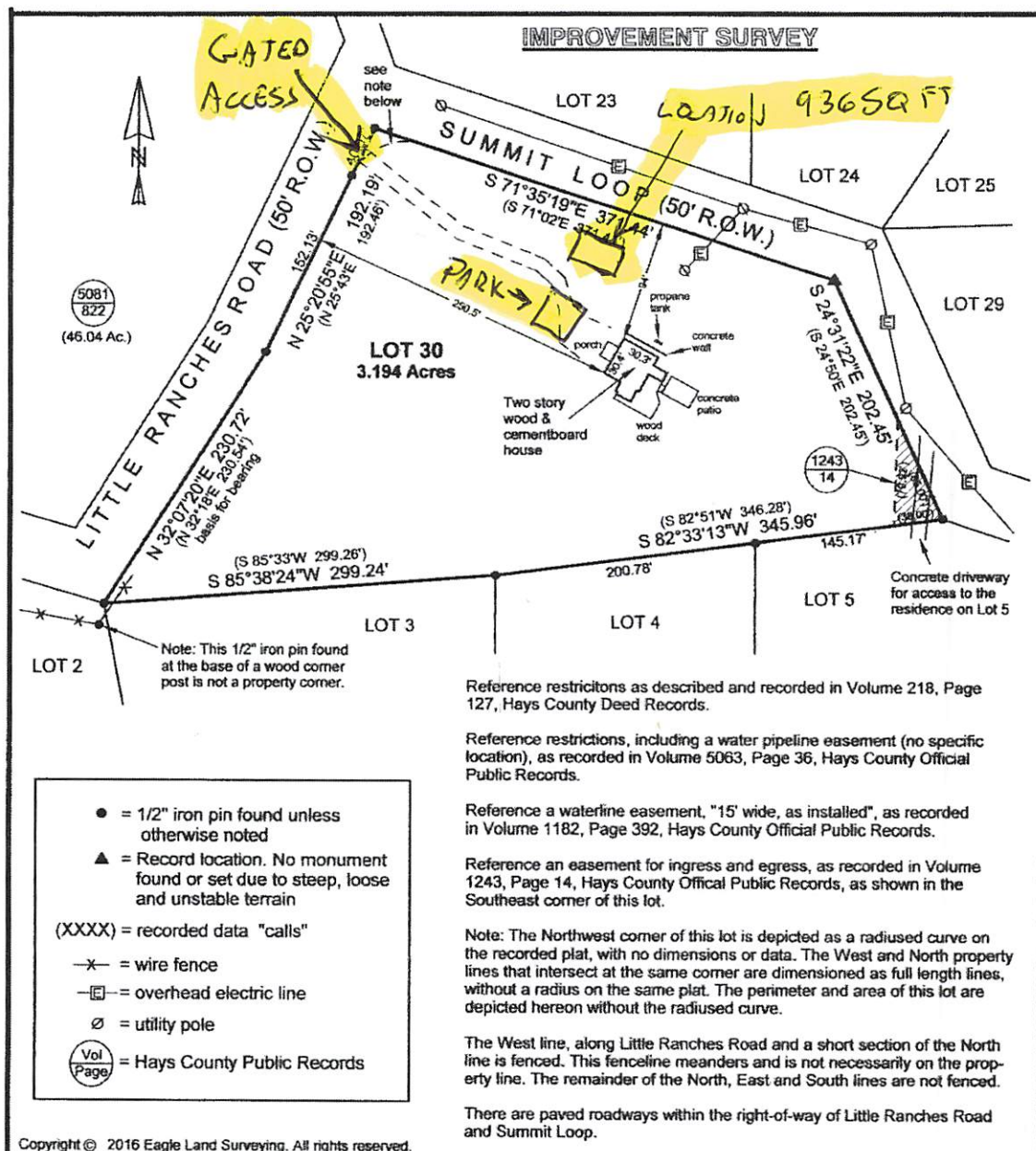
DATE

OWNER SIGNATURE

PRINT NAME

DATE

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LEGAL DESCRIPTION: All of Lot 30, Flite Acres Little Ranches, Section Two (2), a subdivision in Hays County, Texas, according to the map or plat thereof recorded in Volume 1, Page 41, Plat Records of Hays County, Texas.

ADDRESS: 1604 Little Ranches Road, Wimberley, Texas 78676

CLIENT: Phil Collins and/or Assigns

TITLE COMPANY: Independence Title Company

G.F. No.: 1608530-WIM

I hereby certify that this plat represents a survey made upon the ground under my supervision, on April 25, 2016, and there are no visible or apparent encroachments upon this property, except as shown hereon.

Clyde Barroso
Clyde Barroso, R.P.L.S. #5404, State of Texas, Firm #10079300.



**EAGLE
LAND
SURVEYING**
(512) 847-1079
P.O. Box 2264 Wimberley, TX. 78676

Scale:
1" = 100'

Date:
April 26, 2016



Job No. 16-046 eb/cb

30FLITE.ZAK

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