



# 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, AUGUST 29, 2024 - 6:00 PM**

### **AGENDA**

1. **CALL TO ORDER**

August 29, 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 July 11, 2024, Regular Planning and 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-24-004, an application for a Conditional Use Permit to operate a Short-Term Rental 2 (Vacation Rental) at a property located at 108 Little Ranches, Wimberley, TX.

5.2. Hold a public hearing and consider making a recommendation to City Council regarding case ZA-24-003, an application for a Zoning Amendment to amend the Wimberley Planned Development District located at 111 and 107 West Spoke Hill, Wimberley, TX.

5.3. Hold a public hearing and consider making a recommendation to City Council regarding case CUP-24-005, an application for a Conditional Use Permit to operate a Short-Term Rental 2 (Vacation Rental) at a property located at 13615 Ranch Road 12, 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](http://www.cityofwimberley.com), in compliance with Chapter 551, Texas Government Code, on Friday, August 23, 2024 by 6:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.



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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 PLANNING AND ZONING COMMISSION MEETING**

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

**THURSDAY, JULY 11, 2024 - 6:00 PM**

### **MINUTES**

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

Acting Chair Anne Ulfelder called the meeting to order at 6:01 pm

2. **CALL OF ROLL**

Commissioners Present:

Matt Joyce

Ben O'Kane

Anne Ulfelder

Vance McCracken

Michael Rambo

Commissioners Absent:

Chris Sharp

Jerry Lunow

Staff Present:

Tim Patek, City Administrator

Alexis Evans, Permit Coordinator

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 citizens communications this evening.

4. **ELECTION OF OFFICERS**

- 4.1. Consider the appointment of a Chairperson to the Planning and Zoning Commission with a term ending June 30, 2025.

A motion to appoint Anne Ulfelder as Chairperson was made by Commissioner McCracken, seconded by

Commissioner Rambo. The motion carried unanimously (5-0).

- 4.2. Consider the appointment of a Vice-Chairperson to the Planning and Zoning Commission with a term ending June 30, 2025.

A motion to appoint Ben O'Kane as Vice-Chairperson was made by Commissioner McCracken, seconded by Commissioner Joyce. The motion carried unanimously (5-0).

## 5. **MINUTES**

- 5.1. Consider approval of the June 13, 2024 Regular Planning & Zoning Commission meeting minutes.

A motion was made by Commissioner Rambo, seconded by Commissioner McCracken to approve the June 13, 2024 Regular Planning & Zoning Commission meeting minutes. The motion carried unanimously (5-0).

## 6. **PUBLIC HEARING AND POSSIBLE ACTION**

- 6.1. Hold a public hearing and consider making a recommendation to City Council regarding case ZA-24-002, an application for a Zoning Amendment to change the zoning from Residential Acreage (RA) to Single-Family Residential (R2) for a property located at 300 Sunrise Dr, Wimberley, TX.

Tim Patek, City Administrator, gave a brief presentation regarding case ZA-24-002, an application for a zoning amendment to change the zoning from Residential Acreage (RA) to Single-family Residential (R2) for a property located at 300 Sunrise Dr, Wimberley, TX.  
One letter of objection was received.

John Thompson, the applicant, spoke in support and answered any questions presented by the Commissioners.

Chair Ulfelder opened the public hearing at 6:26 pm.  
A neighbor residing at 100 sunrise circle, spoke of concerns about the development of the property.  
There being no further comments, Chair Ulfelder closed the public hearing at 6:31 pm.

Upon completion of discussion, a motion was made by Commissioner O'Kane, seconded by Commissioner McCracken to approve case ZA-24-002, an application for a zoning amendment to change the zoning from Residential Acreage (RA) to Single-family Residential (R2) for a property located at 300 Sunrise Dr, Wimberley, TX with a plat note. The motion carried unanimously (5-0).

## 7. **BOARD MEMBER REPORTS**

- 7.1. Announcements

Commissioner Ben O'Kane introduced himself as a new member of the board.

- 7.2. Future Agenda Items

There were no future agenda items this evening.

## 8. **ADJOURNMENT**

Chair Ulfelder adjourned the meeting at 6:35 pm.

**RECORDED BY:**

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**Planning & Zoning Commission Staff Liaison**



**APPROVED BY:**

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**Planning & Zoning Commission Chairperson**



|                        |                                                    |
|------------------------|----------------------------------------------------|
| <b>AGENDA ITEM:</b>    | <b>CUP-24-004 – Short Term Rental 2</b>            |
| <b>SUBMITTED BY:</b>   | Nathan Glaiser, Planning and Public Works Director |
| <b>DATE SUBMITTED:</b> | 7/17/2024                                          |
| <b>MEETING DATE:</b>   | 8/29/2024 (P&Z) / 9/5/2024 (City Council)          |

## REPORT

### ITEM

The applicant, Hoots Hideaway LLC (James R. Salter owner), has requested a Conditional Use Permit to allow for the operation of a short-term rental 2 (vacation rental) on property located at 108 Little Ranches, Wimberley. The property is 1.106 acres and zoned Single-Family Residential 2. The building on the property is a duplex with a STR2 being proposed in each unit. They are requesting a maximum of 12 guests. There is available parking on the property.

### PROPERTY INFORMATION

#### Property Description

|                                  |                                                                     |
|----------------------------------|---------------------------------------------------------------------|
| <b>Applicant(s):</b>             | Hoots Hideaway LLC c/o James R. Salter                              |
| <b>Property Address:</b>         | 108 Little Ranches                                                  |
| <b>Property Owner:</b>           | Hoots Hideaway LLC                                                  |
| <b>Legal Description:</b>        | K's Addition, Lot 1A, Acres 1.106                                   |
| <b>Property Size:</b>            | 1.106 Acres                                                         |
| <b>Existing Use of Property:</b> | Vacant – a building permit is issued for construction of the duplex |
| <b>Existing Zoning:</b>          | R2                                                                  |
| <b>Shared Infrastructure</b>     | None                                                                |
| <b>Request:</b>                  | STR2                                                                |
| <b>Planning Area:</b>            | I                                                                   |
| <b>Overlay District:</b>         | None                                                                |

#### Surrounding Property:

|                  |                |
|------------------|----------------|
| <b>Frontage:</b> | Little Ranches |
|------------------|----------------|

|                                          | <b>Current Zoning:</b> | <b>Existing Land Use:</b> |
|------------------------------------------|------------------------|---------------------------|
| <b>Surrounding Zoning &amp; Land Use</b> |                        |                           |
| <b>North of Property</b>                 | R2                     | Duplex                    |
| <b>South of Property</b>                 | RA                     | Single Family             |

**East of Property**

RA

Residential  
Single Family  
Residential  
Single Family  
Residential

**West of Property**

RA

## COMMENTS

Staff has not received any comments from citizens as of 8/21/2024.

## RECOMMENDATION

Staff defers to Planning and Zoning Commission for their recommendation.

## LEGAL NOTICE

**Surrounding Neighbor Notification Letters (200'):** 8/9/2024  
**Published Legal Notice (Wimberley View):** 8/15/2024

## 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: Hoots Hideaway LLC c/o James R. Salter

Mailing Address: 100 Hoots Holler City: Wimberley State: TX Zip: 78676

Phone: (404) 640-7450 Email: JRSalter@3jl.cc

**OWNER'S INFORMATION**

Property Owner: Hoots Hideaway, LLC

Mailing Address: 100 Hoots Holler City: Wimberley State: TX Zip: 78676

Phone: \_\_\_\_\_

**PROJECT SITE ADDRESS:** 108 Little Ranches Rd

Legal description: K's Addition, Lot 1A, Acres 1.106

Total Acreage or Square Footage: 1.106 acres Deed recorded in: Hays, Vol 7, Pg 383

Hays CAD Parcel ID R- 88236 Planning Area: \_\_\_\_\_ Zoning: R2

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: Pedernales Electric Cooperative (PEC)

Water provider or Private Well: Wimberley Water Corp

Wastewater Service or Septic Permit No. Septic Permit 2022-25

\*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: 7/17/2024

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

OWNER: Hoots Hideaway, LLC c/o James R. Salter

LOCATION OF PROPERTY: 108 Little Ranches Rd.

LEGAL DESCRIPTION: K's Addition, Lot 1A, Acres 1.106

PLANNING AREA: \_\_\_\_\_ PRESENT ZONING: R2

EXISTING USE: Duplex

HOMEOWNERS ASSOCIATION CONTACT INFO: N/A

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. 6 Off-street parking spaces will be provided for off-street guest parking, which will be adequate for a maximum occupancy of 12 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: 6 PROPOSED MAXIMUM OCCUPANCY: 12 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 \_\_\_\_\_ 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.

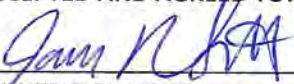
**PROPERTY MANAGEMENT:** Owner will provide guests and close-by neighbors with owner's telephone number to assure Owner's immediate knowledge of any concerns that may arise. (If not, owner occupied) Owner agrees to always retain under contract a responsible local management company the property is used 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

James R. Salter, Managing Member

PRINT NAME

7/17/2024  
DATE

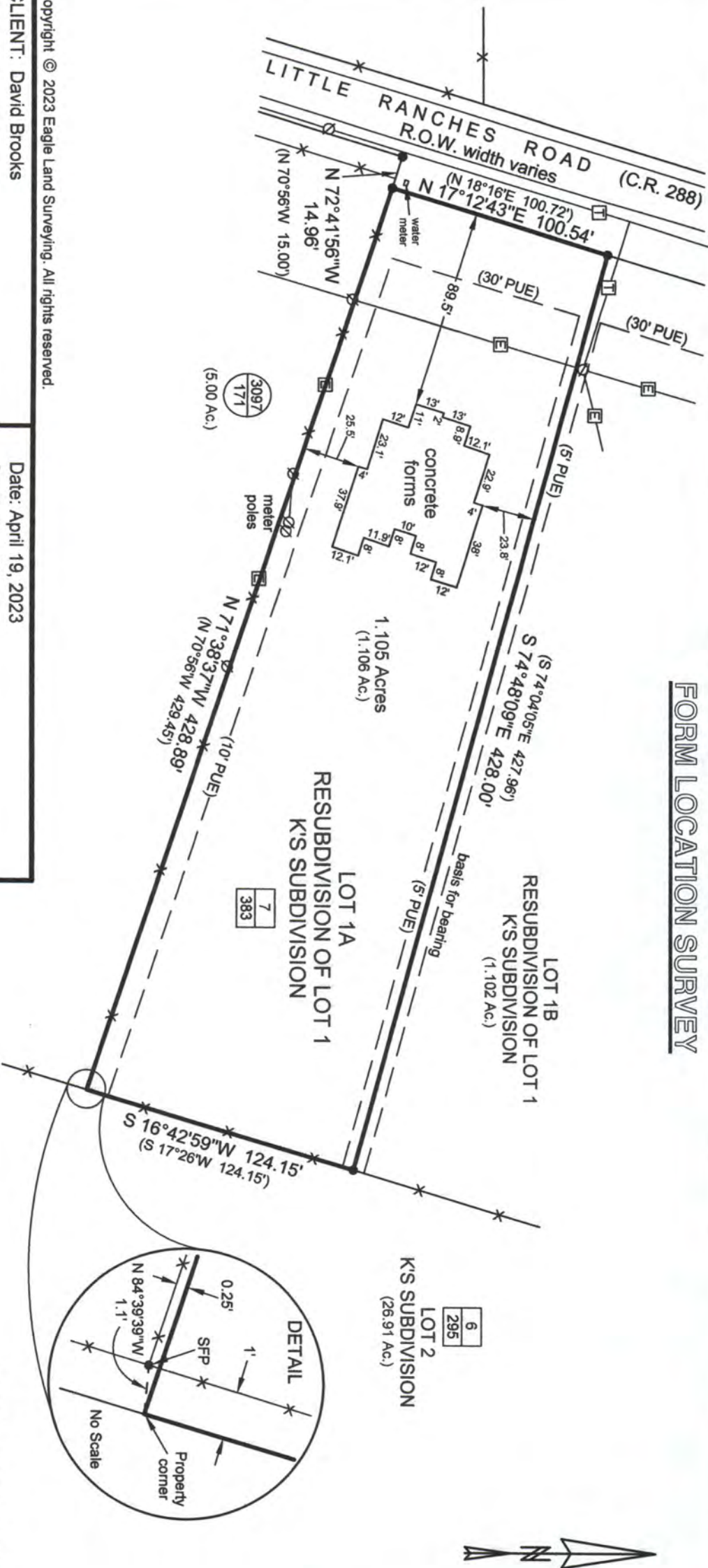
\_\_\_\_\_  
OWNER SIGNATURE

\_\_\_\_\_  
PRINT NAME

\_\_\_\_\_  
DATE

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FORM LOCATION SURVEY





|               |
|---------------|
| PROJECT TITLE |
|---------------|

## DUPLIX DRAWINGS

108 LITTLE RANCHES  
ROAD  
WIMBERLEY, TX.  
78676

A PROJECT FOR

BLANCO RIVER DESIGN CO.

[illegible]

PROJECT NO: 12192022

DRAWN BY: MJM

CHECKED BY : D.B.

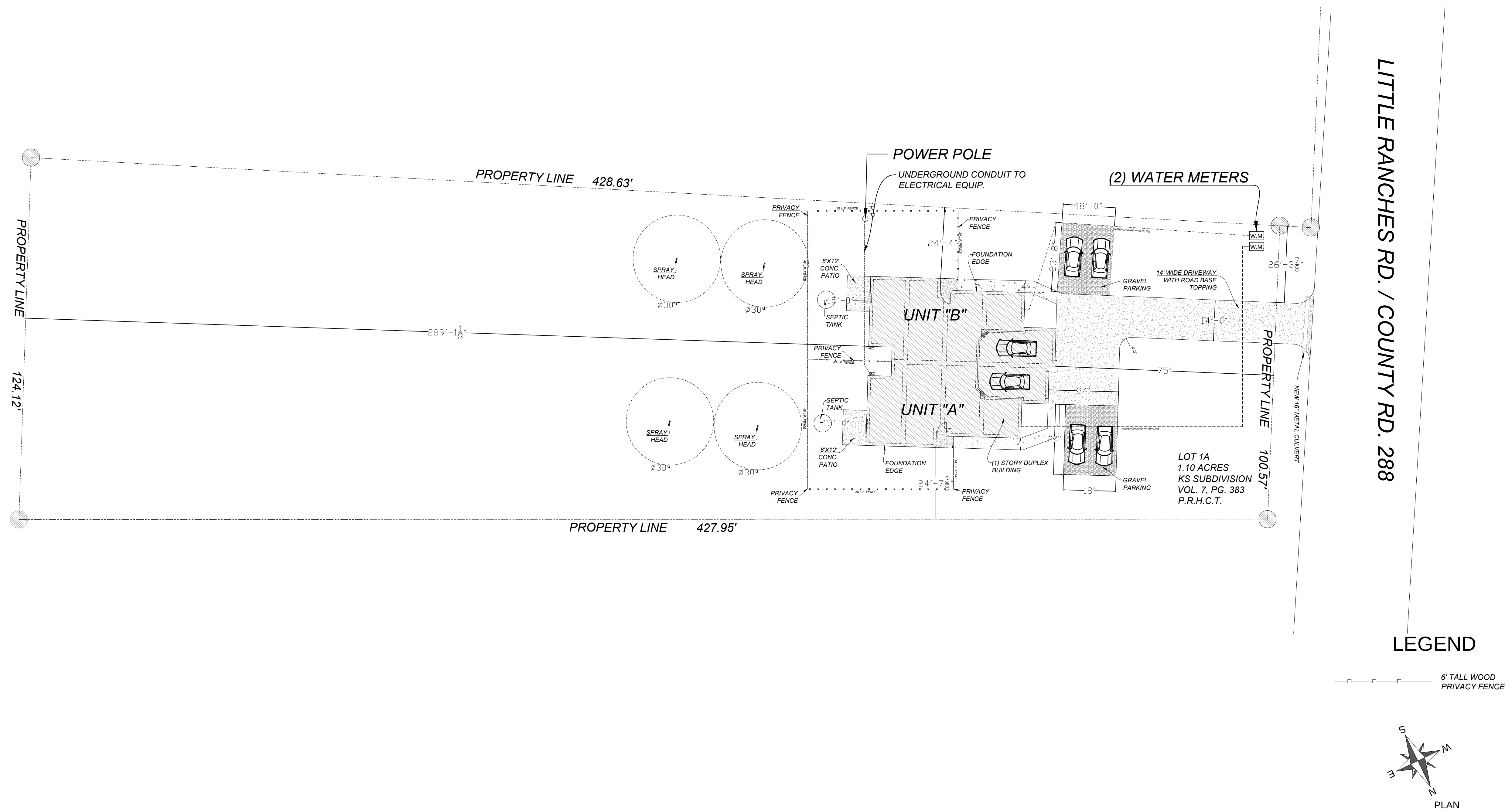
MALONEY SERVICES LLC. 2024. THIS OFFICE ASSUMES NO LIABILITY FOR ERRORS OR OMISSIONS ON THESE PLANS. ALL INFORMATION MUST BE CONFIRMED PRIOR TO COMMENCEMENT OF CONSTRUCTION. IT IS THE OWNERS AND BUILDERS RESPONSIBILITY FOR FOLLOWING MATERIAL AND MANUFACTURERS INSTRUCTIONS, AND USING RECOGNIZED STANDARDS FOR EACH TRADE, AS WELL AS COMPLIANCE IN FULL WITH ALL GOVERNING CODE REQUIREMENTS FOR THE GEOGRAPHIC AREA IN WHICH THIS PROJECT IS TO BE CONSTRUCTED.

SHEET TITLE

## SITE PLAN

SHEET NUMBER

# SP-1



## SITE PLAN

SCALE: 1" = 20'-0"

01 |



|                        |                                                    |
|------------------------|----------------------------------------------------|
| <b>AGENDA ITEM:</b>    | <b>ZA-24-003 – Amend WPDD</b>                      |
| <b>SUBMITTED BY:</b>   | Nathan Glaiser, Planning and Public Works Director |
| <b>DATE SUBMITTED:</b> | 7/19/2024                                          |
| <b>MEETING DATE:</b>   | 8/29/2024 (P&Z) - 9/5/2024(City Council)           |

## REPORT

### ITEM

The applicants, Sheldon and Sienna Ginn, have requested an amendment to their existing Wimberley Planned Development District (WPDD) for property located at 107 & 111 W Spoke Hill, Wimberley, Texas 78676. The existing WPDD includes multiuse commercial and residential in the front half of the property and multi-family residential in the back half of the property. This amendment would change the number dwelling units in the back lot of the property (Spoke Hill, Section 1, Lot 5A-1). Currently, Lot 5A-1 is developed per the existing WPDD with one duplex and one detached dwelling unit. The applicants are proposing another dwelling unit be added with a detached garage. This would be the total number of dwelling units on the 5.47 acres lot to 4. The land use of the front lot would not be changed.

Please see the new proposed site plan and the exhibit of proposed amendments.

Attachments: Application

### PROPERTY INFORMATION

#### Property Description

|                                  |                                                             |
|----------------------------------|-------------------------------------------------------------|
| <b>Applicant(s):</b>             | Sheldon and Sienna Ginn                                     |
| <b>Property Address:</b>         | 107 and 111 W Spoke Hill                                    |
| <b>Property Owner:</b>           | Sheldon and Sienna Ginn                                     |
| <b>Legal Description:</b>        | Spoke Hill, Section 1 Lot 5A-1                              |
| <b>Property Size:</b>            | Lot 5A-1 = 5.47 acres<br>Lot 5A-1 = 2 acres                 |
| <b>Existing Use of Property:</b> | Lot 5A-1 = Multifamily<br>Lot 5A-2 = Commercial/residential |
| <b>Existing Zoning:</b>          | WPDD with RA base zoning                                    |
| <b>Planning Area:</b>            | I                                                           |
| <b>Overlay District:</b>         | Entrance Corridor                                           |

#### Utilities

**Water:** Private Wells

**Wastewater:** Individual on-site sewage facilities

**Electricity:** Pedernales Electric Corporation

**Surrounding Property:**

**Frontage:** W Spoke Hill

|                                              |                          | <b>Current Zoning:</b> | <b>Existing Land Use:</b> |
|----------------------------------------------|--------------------------|------------------------|---------------------------|
| <b>Surrounding Zoning<br/>&amp; Land Use</b> | <b>North of Property</b> | RA                     | Residential               |
|                                              | <b>South of Property</b> | R1-WPDD                | Commercial                |
|                                              | <b>East of Property</b>  | RA                     | Commercial                |
|                                              | <b>West of Property</b>  | R1                     | Commercial                |

**LEGAL NOTICE**

**Surrounding Neighbor Notification Letters (200’):** 8/9/2024  
**Published Legal Notice (Wimberley View):** 8/15/2024

**PUBLIC COMMENTS**

**There is currently no written opposition to this request. There is one letter of support from a neighbor.**

**RECOMMENDATION**

**Staff recommends approval of this request with deference given to the neighbors most impacted by the proposed development.**

Support from the comprehensive plan:

“Residential uses should be encouraged throughout the City, including mixed-use areas such as the city center, and a wide variety of housing choices should be available to residents. Development adjacent to residential uses should be evaluated in terms of its compatibility to residential areas.”

Staff feels that allowing for this type of detached multi-family housing succeeds in giving more housing choices to the residents of the City.

**Criteria for Consideration**

- 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;
- 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;

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;

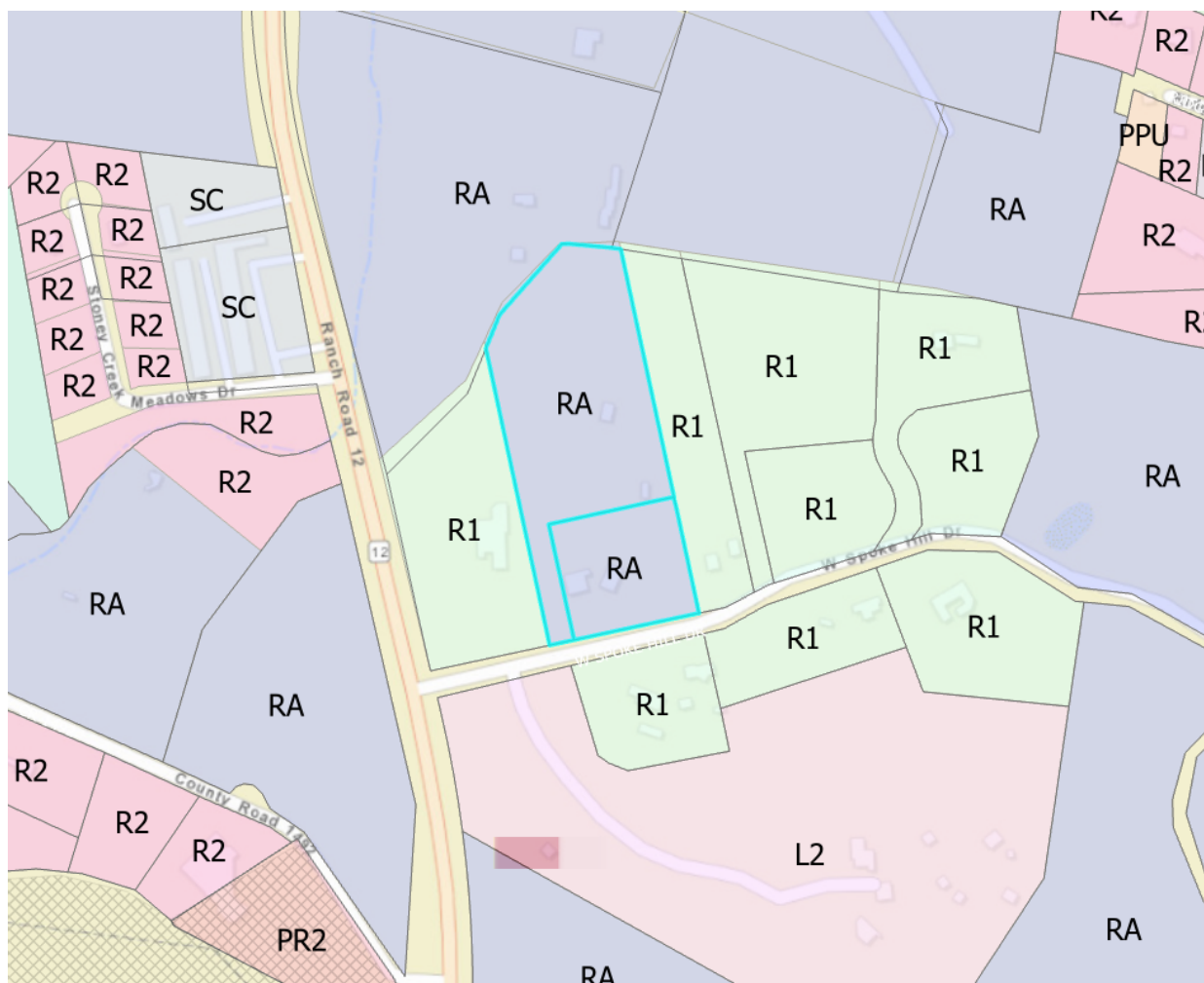
d. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change;

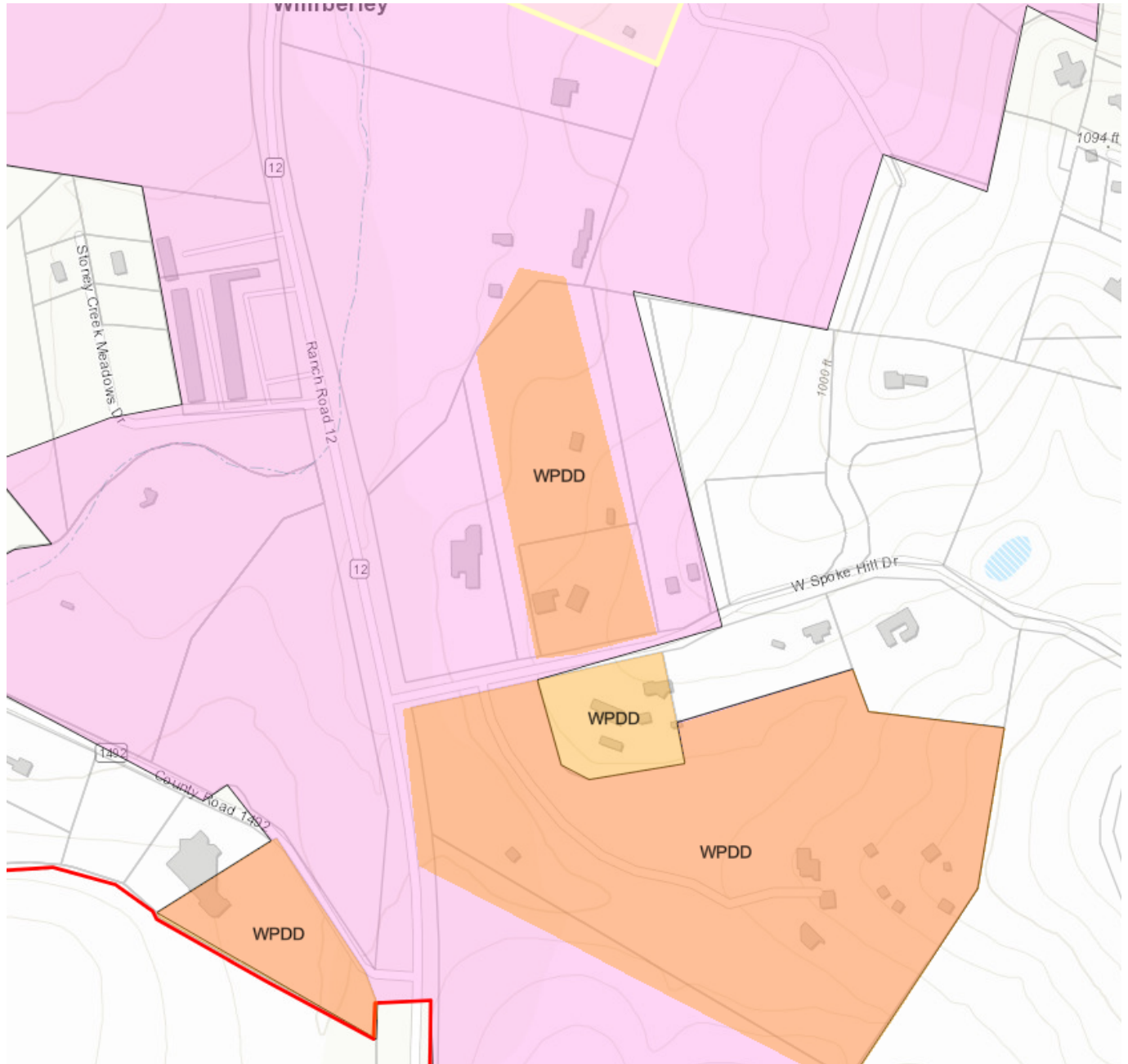
e. How other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved;

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

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

## ZONING MAP





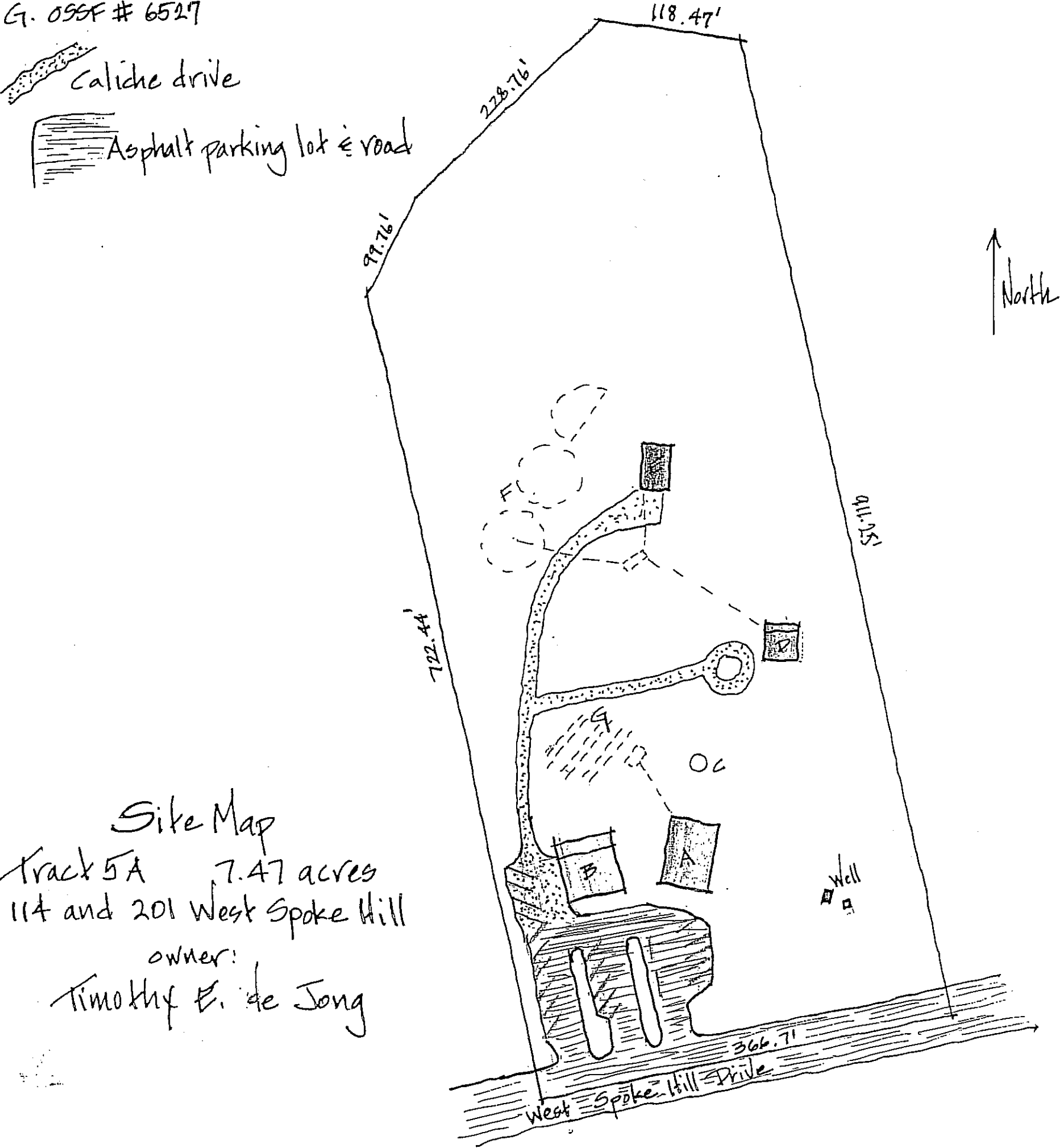
# Existing Conccent Plan from 2008

Legend

- A. Showroom/Office 2400 SF
- B. Shop/Warehouse 1800 SF (enclosed)  
800 SF (covered porch)
- C. 23000 gallon rainwater collection tank
- D. Residence 600 SF
- E. Duplex 1728 SF
- F. OSSF # 1196
- G. OSSF # 6527

Caliche drive

Asphalt parking lot & road



# Existing Design Standards

## EXHIBIT "B"

### Design Standards

The Property described in Ordinance No. 2008- 013 for Case No. ZA-08-004, shall be subject to the following Design Standards:

1. The current existing uses and structures are as follows and in the current dimensions and as further described on the Concept Plan:
  - (a) Showroom/residence
  - (b) shop/warehouse
  - (c) residence, for public rental use
  - (d) duplex, for public rental use
  - (e) driveways
2. In addition to the currently existing uses and structures as described above and on the Concept Plan, the uses permitted in Residential Acreage (RA), the base zoning district, the following additional uses shall be permitted:
  - (a) The production, sale, distribution, instruction, and/or repair of art, craft, furniture, clothing, jewelry, lapidary, music, musical instruments, antiques, bicycles, computers, software, garden tools, garden accessories, herbs, flowers, natural food, and other similar products, specifically excluding automobiles, motorcycles, recreational vehicles, and any other items requiring internal combustion engines.
  - (b) Magazine, newspaper, video, audio, or other similar production, sale and distribution
  - (c) Administrative and Professional Offices
  - (d) Arts and Crafts Sales and Instruction
  - (e) Business Support Services
  - (f) Communication services: Limited
  - (g) Cultural Exhibits: Limited
  - (h) Custom Manufacturing
  - (i) Medical Services: Limited
  - (j) Personal Services: Limited
  - (k) Repair Services: Consumer
  - (l) Research Services: Limited
  - (m) Religion assembly

All of the uses mentioned above are defined in the Village of Wimberley Zoning Ordinance and Exhibit "D" of this ordinance, however the applicability of the definitions and regulations may be subject to the regulations in effect, in the event of the loss of nonconforming status of the use or the structure in accordance with the Code.

A change from an existing use to one of the permitted uses listed above would be

subject to the availability of parking spaces and all other Code requirements incumbent upon that use.

2. Telecommunication towers, antennas, or broadcast towers taller than 30' are expressly prohibited on the subject property. Activities concerning automobiles, motorcycles, recreational vehicles and any other items requiring internal combustion engines are also prohibited.
3. Development shall not in any instance exceed 50% of impervious cover on the site. Existing buildings and structures on site have a total impervious surface of 7,500 square feet while the roads and parking areas have a total impervious surface of 25,815 square feet.
4. A showroom/residence and shop/warehouse (two commercial buildings) exist on the site along with one (1) single family residence and one (1) residential duplex. No further development is planned.
7. There are a total of 25 parking spaces on site.
8. The subject property shall be serviced by a private well and rainwater collection system with a capacity of 23,000 gallons.
9. The subject property shall be serviced by a properly permitted On-site Wastewater Treatment System.
10. Areas set aside for landscaping and preservation of existing plant material on the Concept Plan shall be developed according to the Commercial landscape regulation in the City Code. Emphasis shall be placed on the use of native, drought tolerant plantings. A band of native vegetation 10 feet wide shall be maintained on the sides and rear of the subject property. A 25-foot set back of native vegetation shall be maintained along the front of the property. Blocks of cedar and oak trees shall be maintained on the perimeter of the subject property as borders and breaks inside the property.
10. There shall be no outdoor lighting other than lights on buildings in scones or fixtures. All lighting shall comply with the Village of Wimberley Comprehensive Lighting Ordinance.
11. In the event of future development, permanent and construction phase drainage plans shall be provided and are subject to review and approval by the Village of Wimberley.
12. All existing signage is to remain. Any new, future signage shall fully comply with the Village of Wimberley Sign Ordinance.

13. Open storage or placement of materials, commodities or equipment and machinery, including motor vehicles and trailers, shall be within the building setback and shall comply with the Village of Wimberley Zoning Ordinance.
14. The following standards are the maximum permitted standards for the development and construction of buildings on the Property, and as further detailed on the Concept plan:
  - (a) No structure on the subject property shall be more than two (2) stories and not more than 28 feet with a flat roof or 35 feet with a pitched roof as defined by the Code.
  - (b) The maximum building footprint for the showroom/residence shall be 2,400 square feet, 1,800 square feet for the enclosed portion of the shop/warehouse, 800 square feet for the covered porch of the shop/warehouse, 600 square feet for the single family residence and 1,728 square feet for the residential duplex.
  - (c) The maximum build out impervious cover and building coverage shall not exceed 50 percent.
  - (d) The exterior of all buildings shall be a stucco, stone, metal or a like material.
  - (e) The roofing material of all structures shall be metal or a like material.
15. All future construction shall require that , a site plan be submitted for review and approval by the Village of Wimberley prior to construction on any improvements detailed on the Concept Plan. A site plan is a detailed engineered development plan consisting of a map or maps and all necessary accompanying narrative and supporting documents to completely define the development to occur on the site.
16. All future construction shall require that, a Development Plan must be submitted prior to the issuance of building permits that is based on the Concept Plan and Design Standards; however, minor revisions may be necessary to the Concept Plan and Design Standards contained herein due to unforeseen reasons. City staff is authorized to administratively approve minor modifications to the Concept Plan and Design Standards so long as the Concept Plan is in substantial conformity with the Design Standards herein and provided such modifications would not otherwise result in a violation of the City's Code of Ordinances. "Minor Modifications" are defined as:

- (A) adjustments of no more than 100 feet to the location or configuration of roadways, sidewalks, utilities, parking areas, buildings, landscape features, (including plants and trees,) ponds and any other improvements depicted on the Concept Plan;
- (B) adjustments of no more than five percent (5%) in building square footage of any individual building to be constructed as part of the project as compared to such building's initial square footage shown on the Concept Plan; provided no such change may be administratively approved if the change would cause the project to exceed the limitations on impervious cover, height or floor area;
- (C) a reduction in size of parking lot areas or structured parking garages;
- (D) adjustments of no more than ten percent (10%) of the total square footage of any landscape areas as compared to the square footage shown and approved on the concept plan, site plan or landscape plan;
- (E) so long as the changes referenced above do not cause an increase in the impervious cover approved for the project;
- (F) allowance for slight enlargement or shifting of easements;
- (G) addition or relocation of private or franchise utility easements;
- (H) correction of bearings or distances;
- (I) correction of minor labeling errors, addition of erroneously omitted informational items and labels;
- (J) modification of a plat note that does not amend the covenants and restrictions;
- (K) and other similar modifications as determined by the City Administrator.

Major revisions, such as obvious reconfiguration of lot lines or easements, relocation of driveways or access easements or fire lanes, and relocation or addition or deletion of any public improvement, including corresponding easement, substantial relocation or reconfiguration of building layout which have the effect of redesigning the project shall necessitate resubmission and reapproval of the Concept Plan as a "revised concept plan" and shall be considered a new project for the purpose of determining applicable regulations.

The procedures for such re-approval shall be the same as for a concept plan, and such re-approval shall constitute a new project thus necessitating submission of a new application form, payment of new fees, and other requirements.

**EXHIBIT "C"**

**Metes and Bounds Description**

## **EXHIBIT "D"**

### **Permitted Use Definitions (§ 155.005 DEFINITIONS)**

**ADMINISTRATIVE AND PROFESSIONAL OFFICE.** Offices of firms or organizations providing professional and executive management or administrative services. Typical uses include advertising agencies, law offices, real estate offices, architectural and engineering offices, financial institutions, and corporate offices.

**ARTS AND CRAFTS SALES OR INSTRUCTIONS:** Establishments or places of business engaged in the large scale manufacture and sales of arts and crafts or teaching the production of arts and crafts. This does not include home crafts which have no on-site sales outlet. Typical uses include glass blowing, pottery making, and metal sculpting.

**BUSINESS SUPPORT SERVICES.** Establishments primarily engaged in the provision of services of a clerical, employment, protective, or minor processing nature to firms, rather than individuals, and where the storage of goods or equipment other than as samples or as necessary for daily operation is prohibited. Typical uses include secretarial services, telephone answering services, blueprint services, and reproduction services.

**COMMUNICATIONS SERVICES: LIMITED.** Establishments primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephone mechanisms but excluding those classified as major impact services and utilities. Typical uses include television or radio studios, and telecommunication service centers.

**CULTURAL EXHIBITS: LIMITED.** Museum-like preservation and exhibition of objects of artistic, cultural, scientific interest, and gallery exhibition of works of art for study and pleasure which accommodate 100 participants or less. Typical uses include aquariums, art galleries, museums, planetariums, and observatories.

**CUSTOM MANUFACTURING.** Establishments engaged in the contract manufacture, assembly, or processing of products and goods with all operations and processes entirely within an enclosed structure, requiring no outdoor industrial wastewater treatment system, and producing no airborne emissions, objectionable noise, glare, odor, vibrations, smoke, or dust associated with the industrial operation. There is no outdoor storage of raw materials and products. Typical uses include cabinet shop, clothing manufacturing, electronic equipment assembly and manufacturing, furniture upholstering, engraving plant, instrument and meter manufacture, optical goods manufacture, photographic equipment manufacture.

**MEDICAL SERVICES: LIMITED.** Establishments primarily engaged in the provision of personal health services including prevention, diagnosis, and treatment or rehabilitation services provided by physicians, dentists, nurses, and other health personnel as well as the provision of medical testing and analysis services. Typical uses include medical offices, dental offices, dental laboratories, clinics, or health maintenance organizations, but not including any sales facilities, hospitals, convalescent centers, or nursing homes.

**PERSONAL SERVICES: LIMITED.** Establishments primarily engaged in the provision of informational, instructional, and personal improvements and similar services which are able to be located in an office-type building. Typical uses include photography studios, travel agencies, automobile driving schools, reducing salons, dancing and music academies, and classrooms for business schools.

**REPAIR SERVICES: CONSUMER.** Establishments primarily engaged in the provision of repair services to individuals and households rather than to firms. Typical uses include appliance repair, apparel repair, musical instrument repair, electrical repair, shoe repair, plumbing repair, and jewelry repair shops.

**RESEARCH SERVICES: LIMITED.** Administrative offices plus research facilities of a technical or scientific nature which are located within a completely enclosed building. There is no product manufacturing and no outside storage, display, or activity. Typical uses include electronics or medical research facilities, product testing laboratory, or a pharmaceutical laboratory.

**RELIGIOUS ASSEMBLY.** A use customarily associated with a building where persons regularly assemble for religious worship and incidental educational and social activities. It includes churches, rectors, temples, and accessory buildings and uses, including the on-site housing of ministers, rabbis, priests, nuns, and similar staff personnel, and is maintained and controlled by a religious body organized to sustain public worship

**RESIDENTIAL.** Uses which include dwelling units that are free-standing and structurally separated buildings used exclusively for residential purposes.

Proposed Concept plan  
with additional residence



| REVISIONS |      |             |
|-----------|------|-------------|
| NO.       | DATE | DESCRIPTION |
|           |      |             |

**New Residence**  
for  
**SPOKE HILL SECTION 1, LOT 5A1**  
**107 W. SPOKE HILL DRIVE**  
WIMBERLEY, TEXAS 78676

**KAD**  
K ARCH DESIGNS  
2203 LAKEVILLE DRIVE  
KINGWOOD, TEXAS 77399  
(O) 832.527.9564  
KARCHDESIGNS.NET

**A-2.1**  
OF  
07

DEVELOPMENT PLAN

DATE: JUNE 3, 2024

# Proposed amendments to design standards

Exhibit “E”

Amend to all prior Exhibits/Add the following:

- 1) Add 1586SF Primary Residence(house plans attached)
- 2) Add allowance for a future detached garage
- 3) New site plan attached



|                        |                                                    |
|------------------------|----------------------------------------------------|
| <b>AGENDA ITEM:</b>    | <b>CUP-24-005 – Short Term Rental 2</b>            |
| <b>SUBMITTED BY:</b>   | Nathan Glaiser, Planning and Public Works Director |
| <b>DATE SUBMITTED:</b> | 7/17/2024                                          |
| <b>MEETING DATE:</b>   | 8/29/2024 (P&Z) / 9/5/2024 (City Council)          |

## REPORT

### ITEM

The applicant, Big Bluestem Holdings LLC, has requested a Conditional Use Permit to allow for the operation of a short-term rental 2 (vacation rental) on property located at 13615 Ranch Road 12, Wimberley. The property is .23 acres and zoned Commercial Low Impact 1. The building on the property was previously “The Tree House”, a retail shop. They are requesting a maximum of 8 guests. There is City sewer at this property.

### PROPERTY INFORMATION

#### Property Description

|                                  |                                                       |
|----------------------------------|-------------------------------------------------------|
| <b>Applicant(s):</b>             | Big Bluestem Holdings, LLC                            |
| <b>Property Address:</b>         | 13615 Ranch Road 12                                   |
| <b>Property Owner:</b>           | Big Bluestem Holdings, LLC                            |
| <b>Legal Description:</b>        | .23 Acres of Land out of the Amasa Turner Survey A461 |
| <b>Property Size:</b>            | .23 Acres                                             |
| <b>Existing Use of Property:</b> | Unoccupied now, previously was retail                 |
| <b>Existing Zoning:</b>          | C1                                                    |
| <b>Shared Infrastructure</b>     | None                                                  |
| <b>Request:</b>                  | STR2                                                  |
| <b>Planning Area:</b>            | III                                                   |
| <b>Overlay District:</b>         | City Center                                           |

#### Surrounding Property:

|                  |               |
|------------------|---------------|
| <b>Frontage:</b> | Ranch Road 12 |
|------------------|---------------|

|                                          | <b>Current Zoning:</b> | <b>Existing Land Use:</b> |
|------------------------------------------|------------------------|---------------------------|
| <b>Surrounding Zoning &amp; Land Use</b> |                        |                           |
| <b>North of Property</b>                 | C1                     | Commercial                |
| <b>South of Property</b>                 | PR1                    | Lodging                   |

East of Property  
West of Property

C1  
C2

Commercial  
Commercial

## COMMENTS

Staff has not received any comments from citizens as of 8/22/2024.

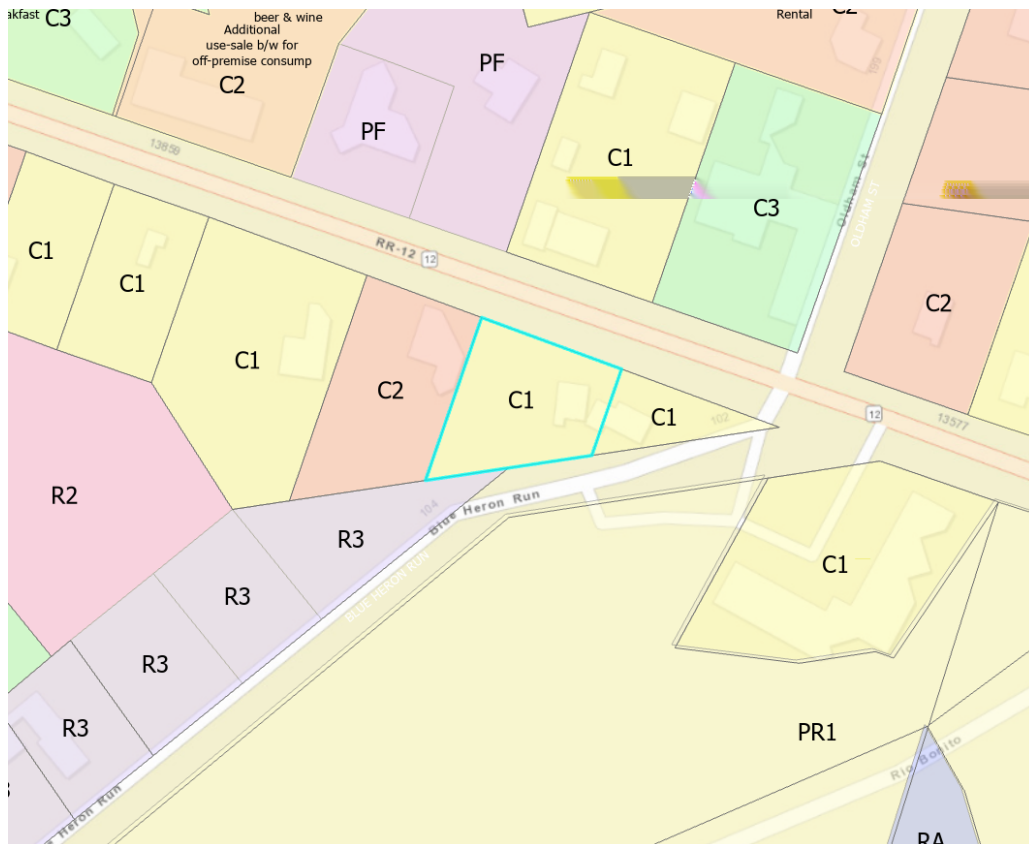
## RECOMMENDATION

Staff recommends approval of this application.

## LEGAL NOTICE

Surrounding Neighbor Notification Letters (200'): 8/9/2024  
Published Legal Notice (Wimberley View): 8/15/2024

## Map





**Conditional Use Permit**  
Planning & Development

**FOR OFFICE USE ONLY**

Date: \_\_\_\_\_ CUP - \_\_\_\_\_ - \_\_\_\_\_ Staff Review \_\_\_\_\_

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

Applicant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**OWNER'S INFORMATION**

Property Owner: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**PROJECT SITE ADDRESS:** \_\_\_\_\_

Legal description: \_\_\_\_\_

Total Acreage or Square Footage: \_\_\_\_\_ Deed recorded in: \_\_\_\_\_

Hays CAD Parcel ID R- \_\_\_\_\_ Planning Area: \_\_\_\_\_ Zoning: \_\_\_\_\_

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

**SPECIFIC CONDITIONAL USE REQUEST:** \_\_\_\_\_

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: \_\_\_\_\_

Water provider or Private Well: \_\_\_\_\_

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**

- The use is harmonious and compatible with the existing 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.
- [REDACTED] does not adversely affect [REDACTED] pedestrian circulation, including reasonably anti-
- 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:** \_\_\_\_\_

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

OWNER: \_\_\_\_\_

LOCATION OF PROPERTY: \_\_\_\_\_

LEGAL DESCRIPTION: \_\_\_\_\_

PLANNING AREA: \_\_\_\_\_ PRESENT ZONING: \_\_\_\_\_

EXISTING USE: \_\_\_\_\_

HOME [REDACTED] ON CONTACT [REDACTED] \_\_\_\_\_

SHARED FACILITIES (RIVER PARK, POOL, ETC.): \_\_\_\_\_

PROPERTY IN FLOODPLAIN? ☐ YES ☐ NO

GATED COMMUNITY OR PRIVATE STREET [REDACTED] \_\_\_\_\_

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 \_\_\_\_\_ 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:** \_\_\_\_\_ **PROPOSED MAXIMUM OCCUPANCY:** \_\_\_\_\_ guests.

Forms & Applications October 2021 3

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

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

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

**PROPERLY OCCUPIED:** Owner will provide \_\_\_\_\_ Owner's telephone number to assure Owner's immediate knowledge of the property (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 discretion act on such complaints. (If owner occupied) The property shall be the owner's principal place of residence and the owner shall be 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



ADDRESS:  
13615 Ranch Road 12

APPEARS TO BE VESTED IN:  
VCD Centurion Discretionary Trust  
Vol. 427B, Pg. 549, OPRHCT

FLOOD PLAIN NOTE: (FOR INFO)  
NOT FOR CONSTRUCTION PER

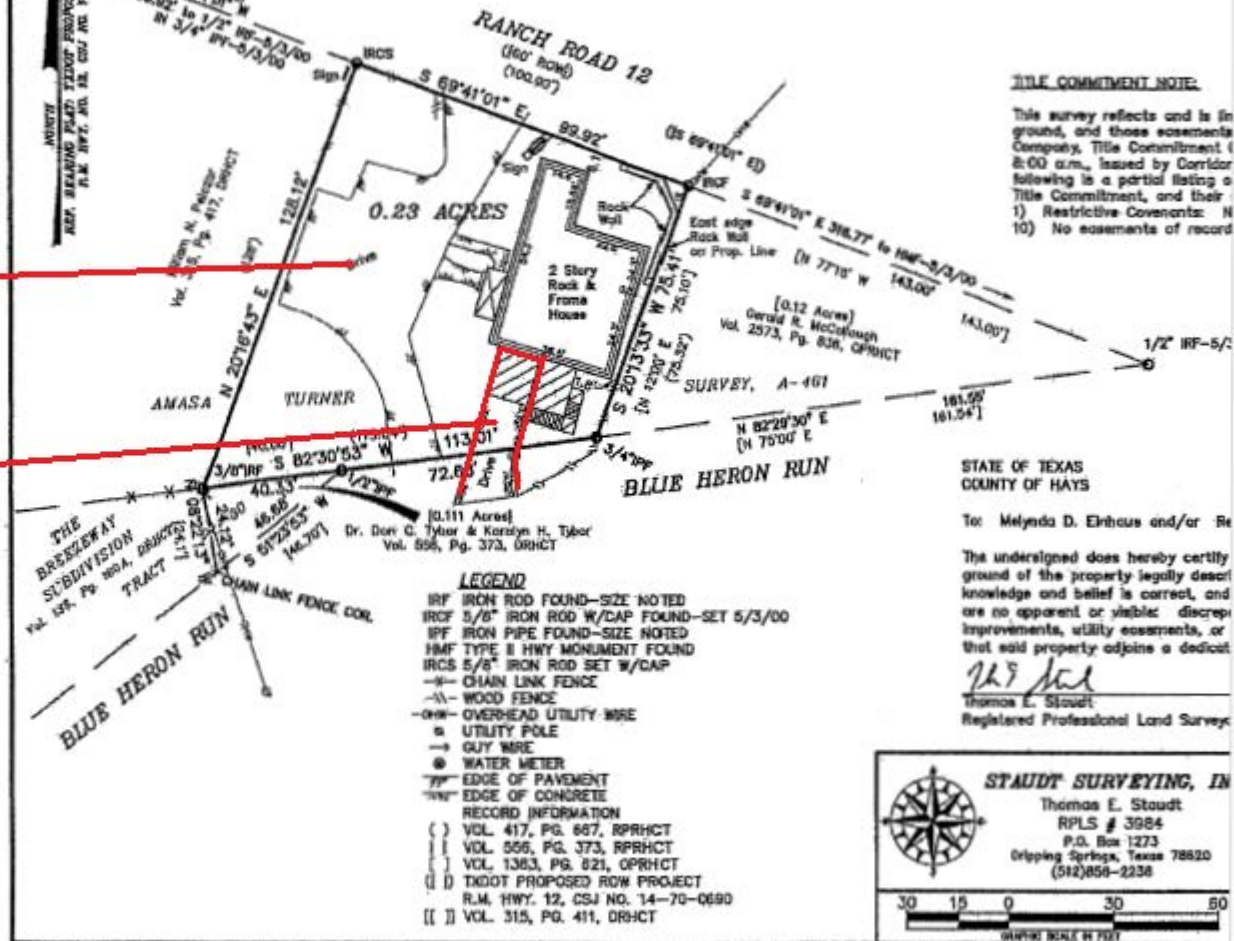
This tract is not within an ID  
by 100-Year Flood as Identified  
Agency, Flood Insurance Rate  
Areas, Map Number 48209C01

# TITLE COMMITMENT NOTE:

This survey reflects and is in  
ground, and those easements  
Company, Title Commitment (1  
2:00 a.m., issued by Corridor  
following is a partial listing of  
Title Commitment, and their:  
1) Restrictive Covenants: N  
10) No easements of record

Parking Area

Driveway /  
Carport for  
Offstreet Parking



X 900