



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, FEBRUARY 13, 2025 - 6:00 PM

AGENDA

1. **CALL TO ORDER** February 13, 2025, 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 January 14, 2024 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-25-001, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) at 1830 Flite Acres, Wimberley, Texas.
 - 5.2. Hold a public hearing and consider making a recommendation to City Council regarding case CUP-25-002, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) at 120 Hoots Holler, Wimberley, Texas.
 - 5.3. Hold a public hearing and consider making a recommendation to City Council regarding case CUP-25-003, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) at 2215 Spoke Hollow Road, Wimberley, Texas.
 - 5.4. Hold a public hearing and consider making a recommendation to City Council regarding case ZA-25-001, an application for a Wimberley Planned Development District on property located at 320 Wimberley Square, Wimberley, TX, 78676.
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 Friday, February 7, 2025 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 PLANNING AND ZONING COMMISSION MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676
TUESDAY, JANUARY 14, 2025 - 6:00 PM

MINUTES

1. **CALL TO ORDER** January 14, 2025, at 6:00 PM

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

2. **CALL OF ROLL**

Commissioners Present:

Matt Joyce
Chris Sharp
Ben O'Kane
Anne Ulfelder
Vance McCracken
Jerry Lunow
Michael Rambo

Staff Present:

Nathan Glaiser, ACM/Director of Development
Services
Tammy Heller, City Secretary
Tim Patek, City Administrator

3. **CITIZENS COMMUNICATIONS**

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

No citizen comments this evening.

4. **MINUTES**

4.1. Consider approval of the December 12, 2024 Regular Planning and Zoning Commission meeting minutes.

A motion was made by Commissioner Lunow, seconded by Commissioner Sharp, to approve the December 12, 2024 Planning & Zoning Commission meeting minutes. The motion carried unanimously (7-0).

5. **DISCUSSION**

- 5.1. Hold a pre-application review conference to discuss a proposed Wimberley Planned Development District for property located at 300 FM 3237, Wimberley. No action will be taken or rights granted during this discussion.

Nathan Glaiser, ACM/Director of Development Services, provided the process for a Wimberley Planned Development District (WPDD). He stated that any potential applicant for a WPDD may, schedule a pre-application review conference with the city administrator and with the planning and zoning commission. This item is considered the pre-application conference and the applicant is here to present their preliminary development concept. The commission will be able to review and provide the applicant with non-binding preliminary information as to any items of particular concern that could surface during the application review process. Mr. Glaiser noted items of concern can be discussed during this process, but no rights will be granted on the basis of any pre-application conference.

A question was posed regarding next steps in the process and Mr. Glaiser stated after this initial pre-application conference, the requirements like all other zoning cases would occur. There would be a public notice, a public hearing, review and recommendation by the Planning and Zoning Commission, and lastly consideration by City Council.

The applicant, Mac McCullough, was in attendance and provided information to the commission regarding his proposed plans for his property. Mr. McCullough expressed his intent to move RV spots, remove the current cabin, remove the storage building and build ten apartments, and lastly relocate the driveway due to safety concerns.

Comments were made by the commission regarding long vs. short term RV parking, mitigating increased traffic, removal of storage units, and potential removal of trees. Mr. McCullough addressed all comments. Mr. Glaiser explained that the changes the applicant is proposing would not be allowed under the current zoning of the property, therefore the applicant is seeking a WPDD. The Commission expressed their appreciation for proposing affordable housing in this project.

There was no action taken this evening.

- 5.2. Hold a pre-application review conference to discuss a proposed Wimberley Planned Development District for property located at 320 Wimberley Square, Wimberley. No action will be taken or rights granted during this discussion.

Michael Creecy, applicant provided information on the proposed WPDD at 320 Wimberley Square. The proposed district would include a grocery store, restaurant, and boutique hotel. Mr. Creecy stated he would like to limit water usage on this property by implementing a net zero water system, but this will be a challenge. The current C-3 zoning does not allow for the proposed uses so a WPDD is being requested. Mr. Creecy responded to comments and questions posed by the Commission regarding parking, building height, landscape, walkway, impervious cover, fire suppression system, and water usage.

Mr. Creecy stated the language that will be in the WPDD is up for discussion and anything can be included. The commission provided consensus to add language regarding some type of water storage.

The commission expressed their appreciation for the thorough information. There was no action this evening.

6. BOARD MEMBER REPORTS

- 6.1. Announcements

No announcements this evening.

- 6.2. Future Agenda Items

No future agenda items added this evening.

7. **ADJOURNMENT**

Chair Ulfelder adjourned the regular meeting of the Planning and Zoning Commission at 7:32 p.m.

RECORDED BY:

Planning & Zoning Commission Staff Liaison



APPROVED BY:

Planning & Zoning Commission Chairperson



AGENDA ITEM:	5.1 CUP-25-001
SUBMITTED BY:	Nathan Glaiser, Planning and Development Coordinator
DATE SUBMITTED:	12/17/2024
MEETING DATE:	2/13/2025

REPORT

ITEM

The applicants, Richard and Julie Steinbrink, are requesting a Conditional Use Permit to operate a Short-Term Rental 2 (non-owner-occupied vacation rental) at 1830 Flite Acres, Wimberley. They are requesting a max occupancy of 8 guests. This property is on the Blanco river. There is parking available in the driveway.

PROPERTY INFORMATION

Property Description

Applicant(s):	Richard and Julie Steinbrink
Property Address:	1830 Flite Acres
Property Owner:	SETC & Associates LLC
Legal Description:	Eagle Cave View Lot 14
Property Size:	.828 acres
Existing Use of Property:	Long term rental
Existing Zoning:	R-2
Shared Infrastructure	None
Request:	STR2
Planning Area:	I
Overlay District:	Protected Waterway

Surrounding Property:

Frontage: Flite Acres

**Surrounding Zoning
& Land Use**

North of Property

Current Zoning:
ETJ

Existing Land Use:
Residential

South of Property	R2	Residential
East of Property	R2	Residential
West of Property	R2	Residential

COMMENTS

We have received one letter of opposition (attached) from property owners at 2101 Spoke Hollow. This property is not within 200' of the subject property.

LEGAL NOTICE

Surrounding Neighbor Notification Letters (200'): 1/30/2025
Published Legal Notice (Wimberley View): 1/29/2025

RECOMMENDATION

Staff has no recommendations.

CRITERIA FOR CONSIDERATION

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

Possible Motions can include:

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

ATTACHMENT/S

- Application
- Letters of Opposition





Conditional Use Permit
Planning & Development

FOR OFFICE USE ONLY

Date: _____ CUP - _____ - _____ Staff Review _____

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

Applicant: Richard and Julie Steinbrink

Mailing Address: PO Box 70 City: Driftwood State: TX Zip: 78619

Phone: [REDACTED] Email: [REDACTED]

OWNER'S INFORMATION

Property Owner: SETC & Associates LLC

Mailing Address: PO Box 70 City: Driftwood State: TX Zip: 78619

Phone: [REDACTED] Email: [REDACTED]

PROJECT SITE ADDRESS: 1830 Flite Acres, Wimberley, TX 78676

Legal description: Eagle Cave View Lot 14 Geo 90605713

Total Acreage or Square Footage: 0.828 Deed recorded in: Hays County

Hays CAD Parcel ID R- 26752 Planning Area: City of Wimberley Zoning: Residential, Single Fam

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

SPECIFIC CONDITIONAL USE REQUEST: short term rental

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

UTILITIES

Electric Provider: Pedernales Electric

Water provider or Private Well: Wimberley Water Supply

Wastewater Service or Septic Permit No. Septic 2001 - 3386

*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.

Forms & Applications October 2021 1

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: _____

Robt. Steek
Julia Steek

Date: _____

12/17/24

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

OWNER: SETC - Richard & Julie Steinbrink

LOCATION OF PROPERTY: 1830 Flite Acres, Wimberley, TX 78676

LEGAL DESCRIPTION: Eagle Cave View Lot 14

PLANNING AREA: _____ PRESENT ZONING: _____

EXISTING USE: _____

HOMEOWNERS ASSOCIATION CONTACT INFO: None

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

PROPERTY IN FLOODPLAIN? ☒ YES ☐ NO

GATED COMMUNITY OR PRIVATE STREET? ☐ YES ☒ NO

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

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

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

OFF-STREET PARKING: All parking will be off-street. ☒ Off-street parking spaces will be provided for off-street guest parking, which will be adequate for a maximum occupancy of 8 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: 4 PROPOSED MAXIMUM OCCUPANCY: 8 guests.

Forms & Applications October 2021 3

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 Blanco River/Creek in the area directly adjacent to the bed and breakfast lodging facility. Guests may not use the River/Creek in front of other properties or enter upon any property which is not part of the bed and breakfast facility for the purpose of entering or exiting the water or for any other reason.

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

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

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

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

ACCEPTED AND AGREED TO:

OWNER SIGNATURE

OWNER SIGNATURE

Richard Steinbrink

PRINT NAME

12/17/24

DATE

Julie Steinbrink

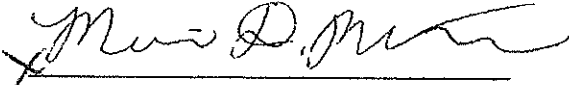
PRINT NAME

12/17/24

DATE

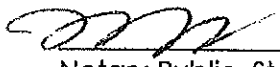
above. We do not represent the parties named in this instrument. The parties should seek independent legal counsel for advice concerning the effect and consequences of this instrument.


John David Buse


Minnie D. McClintock

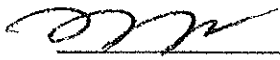
State of TEXAS
County of HAYS

This document was acknowledged before me on August 25, 2022 by John


Notary Public, State of TEXAS

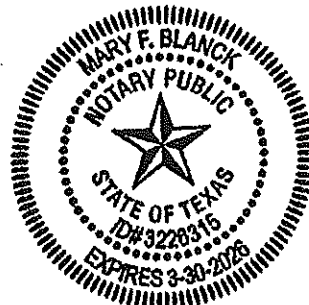
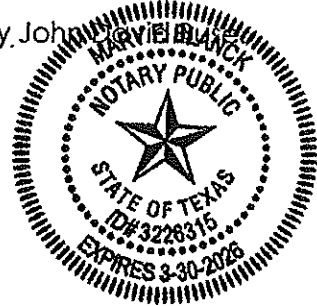
State of TEXAS
County of HAYS

This document was acknowledged before me on August 25, 2022 by Minnie D. McClintock.


Notary Public, State of TEXAS

Prepared By:
Hancock McGill & Bleau, L.L.L.P.
Attorneys at Law
File No. 2237138-sw

After Recording Return To:

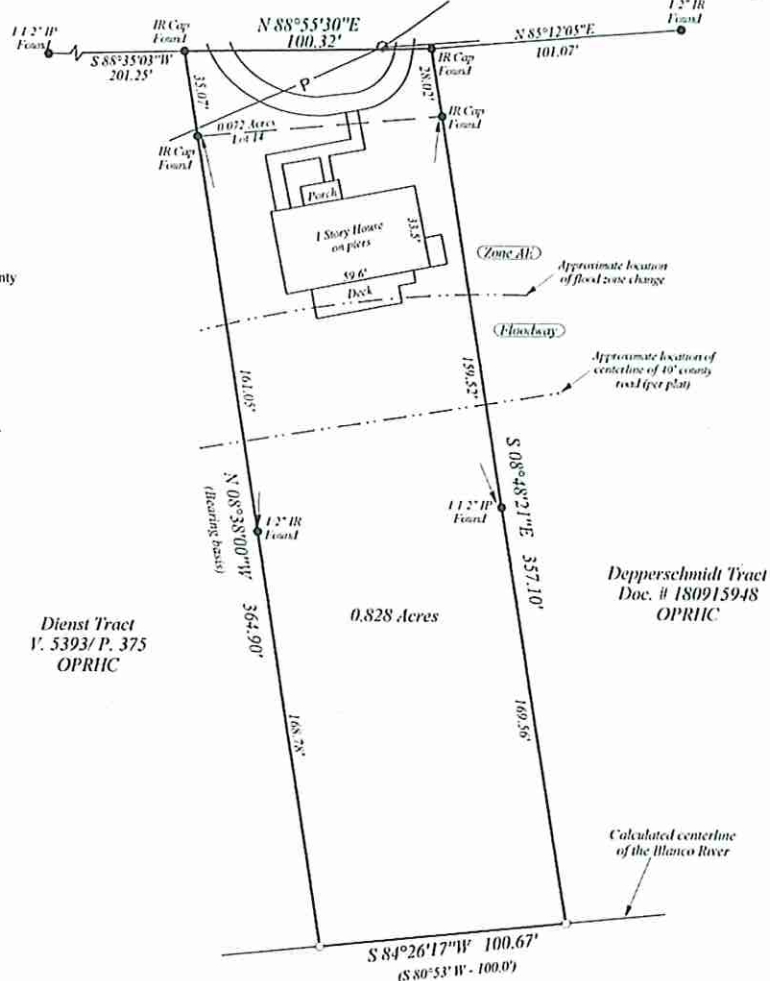


Reference attached metes
and bounds description
marked FLTCRS04

Flite Acres Road

Scale
1" = 60'

Legend
HCDR
Hays County Deed Records
OPRIC
Official Public Records of Hays County
() Data from recorded
subdivision plat
V. 143/P. 517 - HCDR
Calculated point in center of
Blanco River for property corner
O
Overhead Powerline
P
Powerpole
O



Surveyor's Notes: Volume 143, Page 517, HCDR, shows the centerline of a 40' county road traversing the center of Lot 14. There is no visible evidence of a roadway on this

PLAT SHOWING SURVEY OF 0.828 ACRES, BEING ALL OF LOT FOURTEEN (14), EAGLE CAVE VIEW, A SUBDIVISION IN HAYS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 143, PAGE 516, HAYS COUNTY DEED RECORDS, TOGETHER WITH A 0.072 ACRE PARCEL AS ORIGINALLY CONVEYED AND DESCRIBED IN VOLUME 151, PAGE 128, HAYS COUNTY DEED RECORDS.

FOR: John D. Buse and Minnie D. McClintock

GF: 200385-DS/ Riverway Title

DATE: April 14, 2020

ADDRESS: 1830 Flite Acres Road, Wimberely, Texas.

The undersigned does hereby certify that this survey was made on the ground of the property legally described hereon and is essentially correct and that there are no visible discrepancies, encroachments, overlapping of improvements, visible utility easements or roadways, except as shown and that said property has access to a public road. Only those plats with a red surveyors seal and red signature shall be deemed reliable and authentic.

Ronald D. Hayes, Registered Professional Land Surveyor, No. 5703

According to the scaling of Map Panel 0355 F of the September 2, 2005 insurance rate map for the County of Hays, Texas, the property described hereon is in the Zone "AE" and "Floodway" of the flood hazard area and determined to be inside the 100 year flood zone.



HAYES SURVEYING LLC
202 SUNFLOWER DRIVE
KYLE, TEXAS 78640
512-738-0511

File # FLTCRS04
Field Book # 91
Page # 17

Nathaniel Glaiser

From: Contessa Weinheimer <cbweinheimer23@gmail.com>
Sent: Monday, February 3, 2025 6:51 AM
To: Nathaniel Glaiser
Subject: Re: CUP perits

Follow Up Flag: Follow up
Flag Status: Flagged

External Sender - From: (Contessa Weinheimer
<cbweinheimer23@gmail.com>)
This message came from outside your organization.

To whom it may concern,

My name is Contessa Weinheimer and we own the property at 2101 Spoke Hollow Rd. We are not able to attend either the 2/13 or 2/20 meetings so please take this letter as our vote opposing a CUP for the properties at 1830 Flite Acres & 2215 Spoke Hollow Rd.

Spoke Hollow is not our primary residence. At the time of purchase 10 years ago, we were made aware of the longstanding covenants preventing STR's. The owners at 2215 Spoke Hollow Rd should have received the same documentation when they purchased it. I am not aware of any HOA rules for Flite Acres. We could have pursued a CUP for our property, however we knew the wishes of the neighborhood and have always honored those out of respect to our neighbors who live here permanently. Our HOA consists of 38 home sites and our current covenants are valid through the end of 2025. We recently gathered and took a vote to continue to not allow STR's. I realize the city has no jurisdiction over our covenants, I just want you to be aware the majority of our community does not want STR's to come in.

The Flite Acres property had a permit for years and it's been very nice not having a revolving door of strangers every weekend since they stopped renting. Unlike traditional renters or homeowners, short-term guests often disregard noise limits, trash rules, and parking restrictions. On the river those issues increase ten-fold. The increase in traffic on both Flite Acres and Spoke Hollow is also a concern. Wimberly has no enforcement system in place to monitor bad renters. This allows them to operate unchecked which directly affects the neighborhood and community feel. If the homeowner is making money they don't care if guests are loud, don't turn off their flood lights, play music loudly or park all over the two lane country roads.

I urge the council to restrict short-term rentals in residential areas to protect our community. If you grant these two permits, it opens the door for anyone to apply. The City Council has prided itself over the years to not let Wimberly become like other cities overrun by tourists. Inviting more STR's in is no different than putting in a Chick-fil-A on the square, it doesn't fit. Help us keep our neighborhoods the same as you want to keep the city.

Respectfully,
Contessa & Matt Weinheimer



AGENDA ITEM:	5.2 CUP-25-002
SUBMITTED BY:	Nathan Glaiser, Planning and Development Coordinator
DATE SUBMITTED:	1/22/2025
MEETING DATE:	2/13/2025

REPORT

ITEM

The applicants, Russell & Angela Guynes (Carolennon Group LLC), are requesting a Conditional Use Permit to operate a Short-Term Rental 2 (non-owner-occupied vacation rental) at 120 Hoots Holler, Wimberley. They are requesting a max occupancy of 8 guests. There is parking available in the driveway.

PROPERTY INFORMATION

Property Description

Applicant(s):	Russell & Angela Guynes (Carolennon Group LLC)
Property Address:	120 Hoots Holler
Property Owner:	Russell & Angela Guynes (Carolennon Group LLC)
Legal Description:	Flite Acres Little Ranches, Lot PT of 1
Property Size:	3.47
Existing Use of Property:	Residential
Existing Zoning:	R-A
Shared Infrastructure	None
Request:	STR2
Planning Area:	I
Overlay District:	None

Surrounding Property:

Frontage: Hoots Holler

**Surrounding Zoning
& Land Use**

North of Property

Current Zoning:
R1

Existing Land Use:
Residential

South of Property	RA	Residential
East of Property	RA	Residential
West of Property	RA	Residential

COMMENTS

No comments have been received for this request.

LEGAL NOTICE

Surrounding Neighbor Notification Letters (200'): 1/31/2025
Published Legal Notice (Wimberley View): 1/29/2025

RECOMMENDATION

Staff has no recommendations.

CRITERIA FOR CONSIDERATION

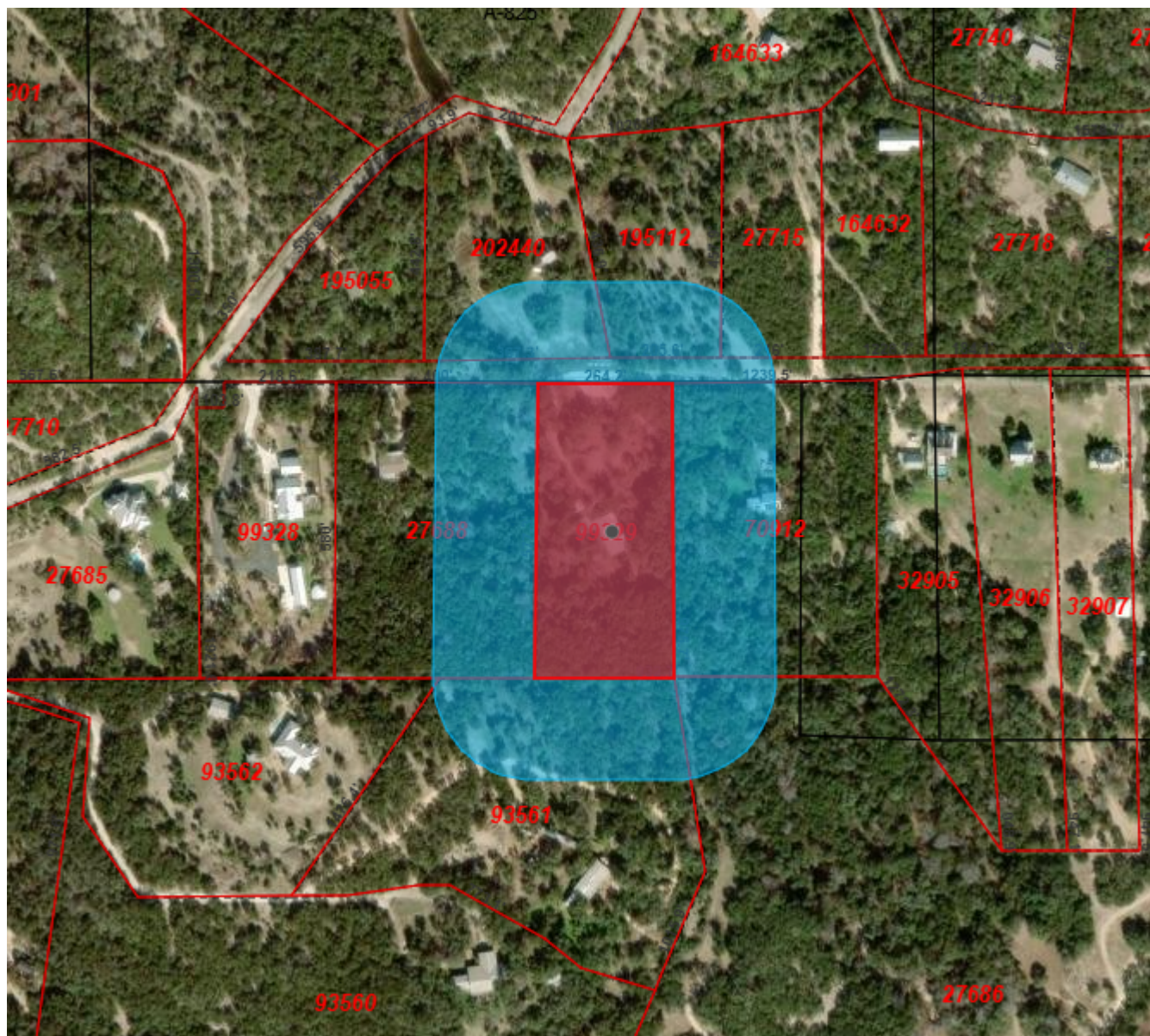
- (A) The use is harmonious and compatible with surrounding existing uses or proposed uses, and does not more adversely affect an adjoining site than would a permitted use;
- (B) The architecture, facade, and signage designs of the use are traditional Hill Country designs and are harmonious with those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

Possible Motions can include:

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

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 & Angela Guynes (Caroleron Group LLC)
Mailing Address: 250 Hoots Holler City: Wimberley State: TX Zip: 78676
Phone: [REDACTED] Email: [REDACTED]

OWNER'S INFORMATION

Property Owner: Russell & Angela Guynes
Mailing Address: same as above City: " State: " Zip: "
Phone: _____ Email: "

PROJECT SITE ADDRESS: 120 Hoots Holler
Legal description: Elite Acres Little Ranches, Lot PT of 1, Serial #TXFLY84AV11
Total Acreage or Square Footage: 3.47 Deed recorded in: 3/31/21
Hays CAD Parcel ID R- 99329 Planning Area: _____ Zoning: _____
Is property located in an overlay district? ☐ Yes ☒ No If Yes, type: _____
SPECIFIC CONDITIONAL USE REQUEST: Vacation rental

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

UTILITIES

Electric Provider: Pedernales Electric
Water provider or Private Well: Wimberley Water
Wastewater Service or Septic Permit No. UMA - Permit #1999-1283

*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: _____

1-22-25
1-22-25

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

OWNER: Russell & Angela Elynes (Carolennon Group LLC)

LOCATION OF PROPERTY: 120 Hoots Holler

LEGAL DESCRIPTION: Flite Acres Little Ranches, Lot PT of 1,

PLANNING AREA: _____ PRESENT ZONING: _____

EXISTING USE: Residential

HOMEOWNERS ASSOCIATION CONTACT INFO: N/A

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

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. 10 Off-street parking spaces will be provided for off-street guest parking, which will be adequate for a maximum occupancy of 8 guests. Parking will be in these spaces only.

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

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

NUMBER OF BEDROOMS: 3 PROPOSED MAXIMUM OCCUPANCY: 8 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.

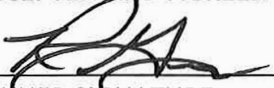
PROPERTY MANAGEMENT: Owner will provide guests and close-by neighbors with owner's telephone number to assure Owner's immediate knowledge of any concerns that may arise. (If not, owner occupied) Owner agrees to always retain under contract a responsible local management company the property is used as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

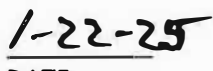
REVOCATION: The cup may be revoked by the City Council upon recommendation of the Planning and Zoning Commission in the event of the violation of any of the conditions contained therein.

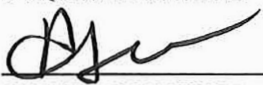
OWNER COMPLIANCE: Owners agree to comply with all City of Wimberley Ordinances, and all state, county and City laws, rules, and regulations.

ACCEPTED AND AGREED TO:

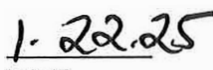

OWNER SIGNATURE

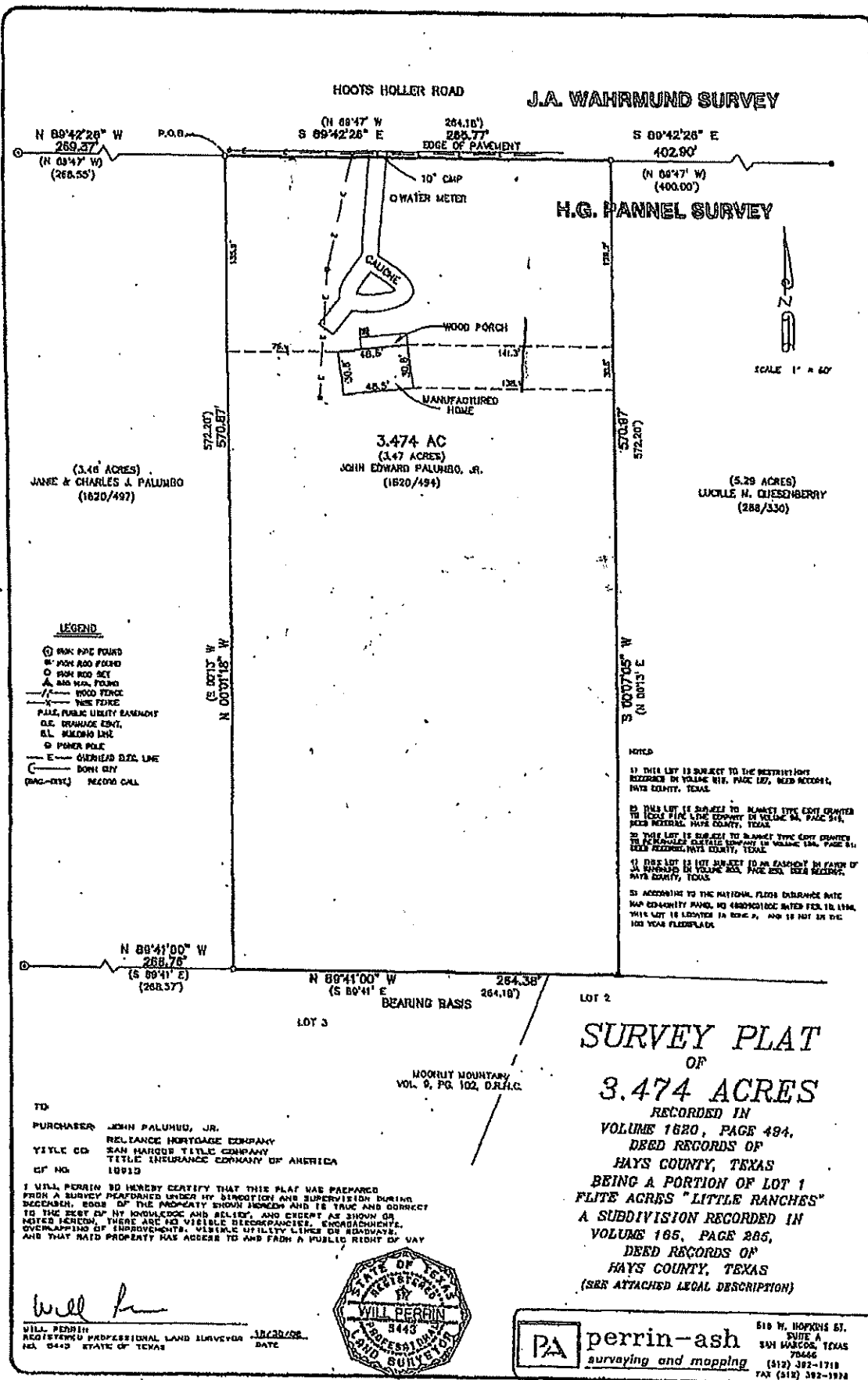

PRINT NAME


DATE


OWNER SIGNATURE


PRINT NAME


DATE





AGENDA ITEM:	5.3 CUP-25-003
SUBMITTED BY:	Nathan Glaiser, Assistant City Manager
DATE SUBMITTED:	1/21/2025
MEETING DATE:	2/13/2025

REPORT

ITEM

The applicant, Hoots Hideaway, LLC (c/o James R. Salter), is requesting a Conditional Use Permit to operate a Short-Term Rental 2 (non-owner-occupied vacation rental) at 2215 Spoke Hollow Rd, Wimberley. They are requesting a maximum of 11 guests. There is parking available in the driveway. This property is on the Blanco River.

PROPERTY INFORMATION

Property Description

Applicant(s):	Hoots Hideaway, LLC (c/o James R. Salter)
Property Address:	2215 Spoke Hollow Rd
Property Owner:	Hoots Hideaway, LLC
Legal Description:	Lots 14, 15 & 16 Hidden Valley Estates
Property Size:	2.11
Existing Use of Property:	Long term rental
Existing Zoning:	R2
Shared Infrastructure	None
Request:	STR2
Planning Area:	I
Overlay District:	Protected Waterway

Surrounding Property:

Frontage: Spoke Hollow

**Surrounding Zoning
& Land Use**

North of Property

Current Zoning:
R2

Existing Land Use:
Residential

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

COMMENTS

Staff has received two letters of opposition for this request that are attached. Neither property is within 200'.

LEGAL NOTICE

Surrounding Neighbor Notification Letters (200'): 1/31/2025
Published Legal Notice (Wimberley View): 1/29/2025

RECOMMENDATION

Staff has no recommendations.

CRITERIA FOR CONSIDERATION

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

Possible Motions can include:

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

ATTACHMENT/S

- Application
- Letters of opposition





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: [REDACTED] Email: [REDACTED]

OWNER'S INFORMATION

Property Owner: Hoots Hideaway, LLC

Mailing Address: PO Box 276 City: Wimberley State: TX Zip: 78676

Phone: [REDACTED] Email: [REDACTED]

PROJECT SITE ADDRESS: 2215 Spoke Hollow Rd, Wimberley, TX 78676

Legal description: Lots 14, 15 & 16 of Hidden Valley Estates

Total Acreage or Square Footage: 2.11 Acres Deed recorded in: Hays

Hays CAD Parcel ID R- 30458 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 2022-04

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

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CONDITIONAL USE PERMIT (CUP) SUBMITTAL CHECKLIST

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

MY REQUEST IS BASED ON THE FOLLOWING:

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

SUBMITTAL VERIFICATION

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

Applicant's Signature: _____

Date: _____

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

OWNER: Hoots Hideaway, LLC

LOCATION OF PROPERTY: 2215 Spoke Hollow Rd, Wimberley, TX

LEGAL DESCRIPTION: Lots 14, 15 & 16 of Hidden Valley Estates

PLANNING AREA: _____ PRESENT ZONING: R2

EXISTING USE: Long-term rental property

HOMEOWNERS ASSOCIATION CONTACT INFO: N/A

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

PROPERTY IN FLOODPLAIN? ☒ YES ☐ NO

GATED COMMUNITY OR PRIVATE STREET? ☐ YES ☒ NO

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

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

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

OFF-STREET PARKING: All parking will be off-street. 5 Off-street parking spaces will be provided for off-street guest parking, which will be adequate for a maximum occupancy of 13 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: 4 PROPOSED MAXIMUM OCCUPANCY: ~~13~~ 11 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.

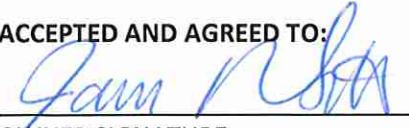
WATERFRONT USAGE: (Applicable if guests have water access) Guests may only use the Blanco River/Creek in the area directly adjacent to the bed and breakfast lodging facility. Guests may not use the River/Creek in front of other properties or enter upon any property which is not part of the bed and breakfast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

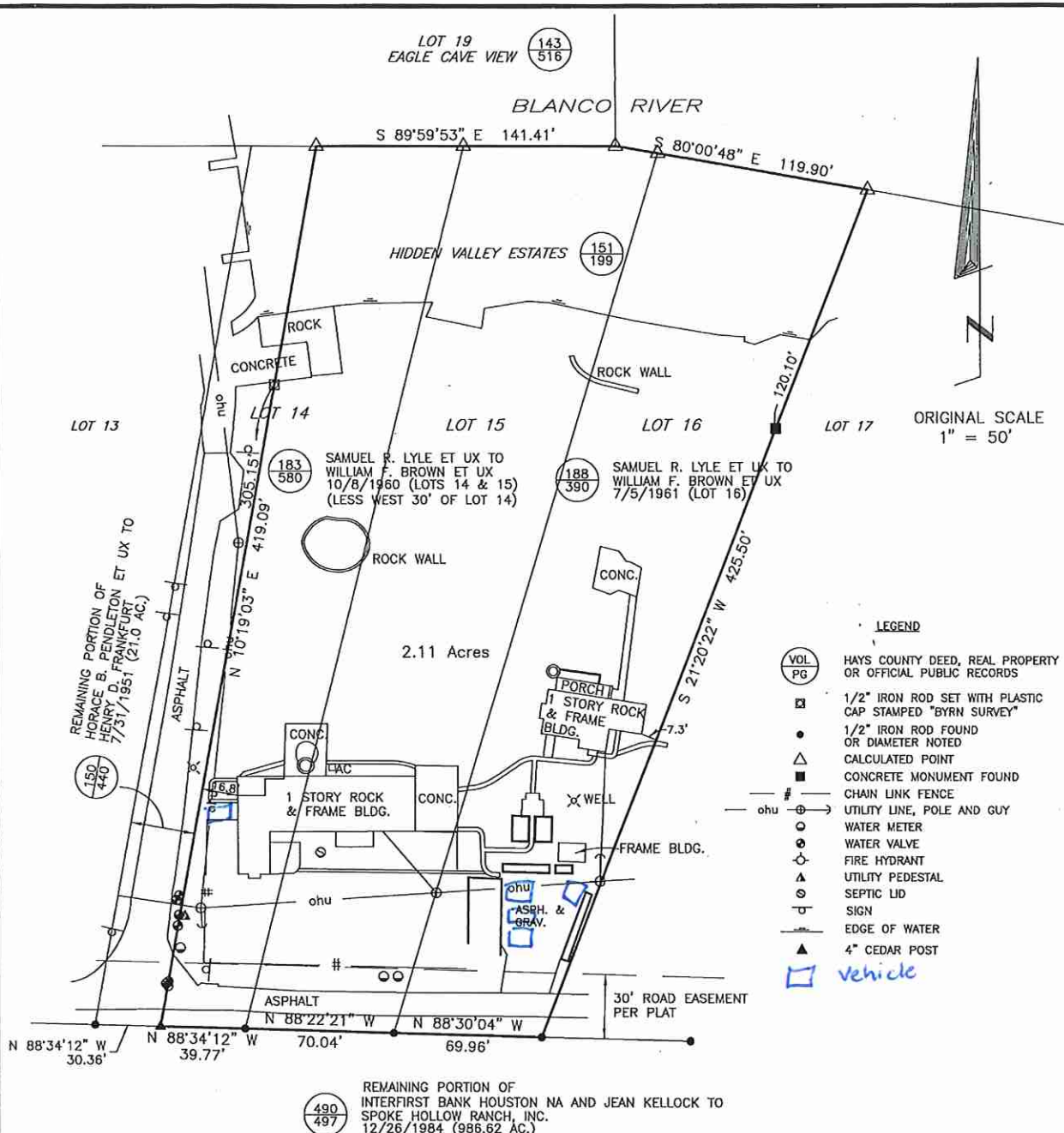
James R Salter, Managing Member
PRINT NAME

1/21/2025
DATE

OWNER SIGNATURE

PRINT NAME

DATE



SURVEYORS NOTES

1. FENCES MEANDER.
2. BEARINGS, DISTANCES AND AREAS IN PARENTHESES ARE FROM RECORD INFORMATION.
3. ACCORDING TO SCALING FROM THE CURRENT F.E.M.A. FLOOD INSURANCE RATE MAP NO. 48209C0355F, DATED 9/2/2005, THIS TRACT LIES WITHIN ZONE AE, (SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD).
4. THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT AND THIS SURVEYOR DID NOT RESEARCH THE DEED RECORDS FOR PREVIOUS CONFLICTS IN TITLE OR EASEMENT, THEREFORE, CERTAIN EASEMENTS MAY HAVE BEEN GRANTED WHICH ARE NOT REFLECTED HEREON.
5. THIS SURVEY PLAT WAS PREPARED IN CONJUNCTION WITH A LAND DESCRIPTION DATED 11/13/2020 PREPARED BY BYRN AND ASSOCIATES, INC. OF SAN MARCOS, TEXAS.
6. THE BEARING BASIS FOR THIS SURVEY PLAT WAS DETERMINED FROM GPS OBSERVATIONS AND REFERS TO GRID NORTH OF THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, SOUTH CENTRAL ZONE.

CLIENT: MUSICK, MARY
DATE: 11/13/2020
OFFICE: K. SMITH
CREW: K. SMITH, HADEN
FB/PG: 781/16
PLAT NO. 27837-20-b

TO MARY MUSICK, EXCLUSIVELY, AND FOR USE WITH THIS TRANSACTION ONLY:

I HEREBY STATE TO THE BEST OF MY SKILL AND KNOWLEDGE: THAT THIS PLAT IS TRUE AND CORRECT ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND ON 11/13/2020. THAT ALL PROPERTY ARE MONUMENTED AS SHOWN HEREON.



KYLE SMITH, R.P.L.S. NO. 5307

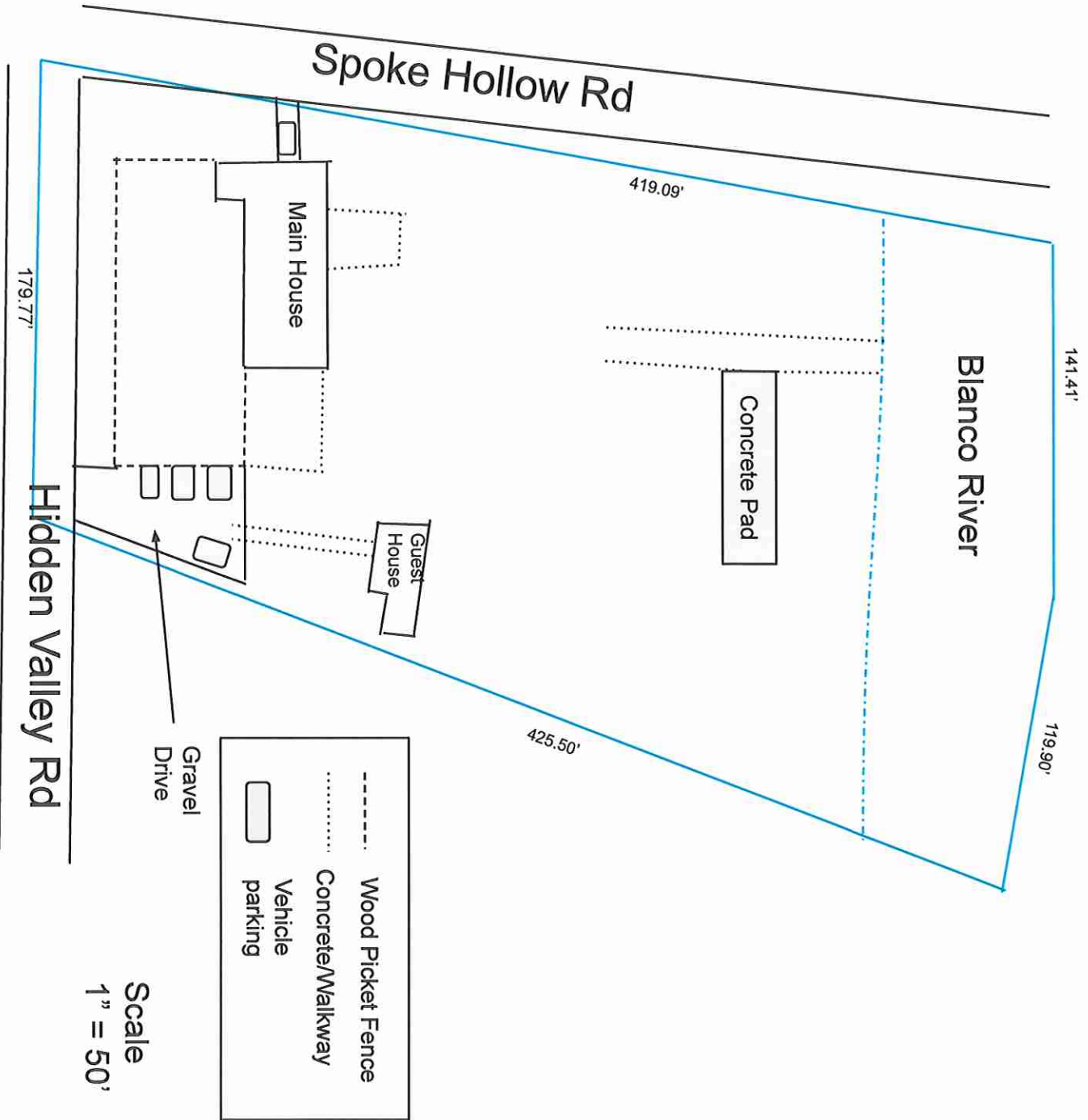
BYRN & ASSOCIATES, INC.

SURVEYING

P.O. BOX 1433 SAN MARCOS, TEXAS 78667
PHONE 512-396-2270 FAX 512-392-2945
FIRM NO. 10070500

PLAT OF 2.11 ACRES, MORE OR LESS, BEING A PORTION OF LOT 14 AND ALL OF LOTS 15 AND 16, HIDDEN VALLEY ESTATES, HAYS COUNTY, TEXAS

2215 Spoke Hollow Rd Site Plan 1/20/2025



Nathaniel Glaiser

From: cdcyr <cdcyr@protonmail.com>
Sent: Wednesday, January 29, 2025 9:51 AM
To: Nathaniel Glaiser; cbweinheimer23@gmail.com
Subject: 2215 Spoke Hollow Str
Attachments: Hidden Valley Ranch Estates ByLaws.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: High Priority

External Sender - From: (cdcyr <cdcyr@protonmail.com>)

This message came from outside your organization.

To whom it may concern,

I live at 501 Hidden Valley Rd. which is part of Hidden Valley Ranch.

We have covenants that prohibit short term rentals which I have attached.

A majority of the homeowners recently had a public meeting to affirm these covenants.

2215 Spoke Hollow is 7 lots down from me. The one lane road and the lack of parking should be reason enough not to allow this to happen.

I would be happy to discuss this in person if you would like.

Regards,

Chris Cyr
512-618-6815

Nathaniel Glaiser

From: Contessa Weinheimer <cbweinheimer23@gmail.com>
Sent: Monday, February 3, 2025 6:51 AM
To: Nathaniel Glaiser
Subject: Re: CUP perits

Follow Up Flag: Follow up
Flag Status: Flagged

External Sender - From: (Contessa Weinheimer
<cbweinheimer23@gmail.com>)
This message came from outside your organization.

To whom it may concern,

My name is Contessa Weinheimer and we own the property at 2101 Spoke Hollow Rd. We are not able to attend either the 2/13 or 2/20 meetings so please take this letter as our vote opposing a CUP for the properties at 1830 Flite Acres & 2215 Spoke Hollow Rd.

Spoke Hollow is not our primary residence. At the time of purchase 10 years ago, we were made aware of the longstanding covenants preventing STR's. The owners at 2215 Spoke Hollow Rd should have received the same documentation when they purchased it. I am not aware of any HOA rules for Flite Acres. We could have pursued a CUP for our property, however we knew the wishes of the neighborhood and have always honored those out of respect to our neighbors who live here permanently. Our HOA consists of 38 home sites and our current covenants are valid through the end of 2025. We recently gathered and took a vote to continue to not allow STR's. I realize the city has no jurisdiction over our covenants, I just want you to be aware the majority of our community does not want STR's to come in.

The Flite Acres property had a permit for years and it's been very nice not having a revolving door of strangers every weekend since they stopped renting. Unlike traditional renters or homeowners, short-term guests often disregard noise limits, trash rules, and parking restrictions. On the river those issues increase ten-fold. The increase in traffic on both Flite Acres and Spoke Hollow is also a concern. Wimberly has no enforcement system in place to monitor bad renters. This allows them to operate unchecked which directly affects the neighborhood and community feel. If the homeowner is making money they don't care if guests are loud, don't turn off their flood lights, play music loudly or park all over the two lane country roads.

I urge the council to restrict short-term rentals in residential areas to protect our community. If you grant these two permits, it opens the door for anyone to apply. The City Council has prided itself over the years to not let Wimberly become like other cities overrun by tourists. Inviting more STR's in is no different than putting in a Chick-fil-A on the square, it doesn't fit. Help us keep our neighborhoods the same as you want to keep the city.

Respectfully,
Contessa & Matt Weinheimer



AGENDA ITEM:	5.4 ZA-25-001
SUBMITTED BY:	Nathan Glaiser, Assistant City Manager
DATE SUBMITTED:	1/30/2025
MEETING DATE:	2/13/2025

REPORT

ITEM

The applicant, Wimberley Snooze & Booze LLC, is requesting Wimberley Planned Development District (WPDD) zoning for a property at 320 Wimberley Square, Wimberley. Please see Exhibit A for their concept plan and Exhibit B for design standards.

From the City Code of Ordinances:

A Wimberley Planned Development District (WPDD) is a special zoning district category that provides an alternate approach to conventional land use controls. WPDDs shall be allowed in all planning areas in those cases in which the permitted uses or the related regulations are not appropriate for the intended use or development. The WPDD may be used for land that is to be developed in the future according to a WPDD concept plan described in this section (the "WPDD concept plan") and for land that is to be used in accordance with the WPDD concept plan without further development. A WPDD may be appropriate for projects such as industrial districts, offices, retail, commercial or service centers, shopping centers, and residential developments of multiple or mixed housing, including attached single-family dwellings. Any appropriate use or combination of uses may be considered for zoning as a WPDD.

PROPERTY INFORMATION

Property Description

Applicant(s):	Wimberley Snooze & Booze LLC
Property Address:	320 Wimberley Square
Property Owner:	Michael Creecy
Legal Description:	CCC Addition Lot 1
Property Size:	1.44 acres
Existing Use of Property:	Vacant
Existing Zoning:	C-3

Shared Infrastructure None

Request: Lodging, Alcohol Sales for on and off premises, food and beverage retail (market), and eating establishment.

Planning Area: V

Overlay District: City Center and Historic Preservation Overlay District

Surrounding Property:

Frontage: Wimberley Square

		Current Zoning:	Existing Land Use:
Surrounding Zoning & Land Use	North of Property	C1 C2	Commercial
	South of Property	C3	Oak Drive Park
	East of Property	C2 R2	Commercial, Vacant
	West of Property	C3	Commercial

COMMENTS

Staff has not received any comments on this request.

LEGAL NOTICE

Surrounding Neighbor Notification Letters (200'): 1/31/2025

Published Legal Notice (Wimberley View): 1/29/2025

RECOMMENDATION

Staff has no recommendations.

CRITERIA FOR CONSIDERATION

In making a determination regarding a requested zoning change, the planning and zoning commission and city council shall consider the following factors:

- 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.

Possible Motions can include:

- Motion to approve WPDD
- Motion to approve WPDD with the following conditions (list all conditions)
- Motion to deny WPDD

ATTACHMENT/S

- Ordinance
- Exhibit A Concept Plan
- Exhibit B Design Standards
- Application



ORDINANCE NO. 2025-xx

AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS CHANGING THE ZONING DESIGNATION FOR APPROXIMATELY 1.44 ACRES OF PROPERTY LOCATED AT 320 WIMBERLEY SQUARE, WIMBERLEY, HAYS COUNTY, TEXAS, TO WIMBERLEY PLANNED DEVELOPMENT DISTRICT (WPDD) WITH A BASE ZONING DISTRICT OF COMMERCIAL HIGH IMPACT 3 (C-3) AND PROVIDING FOR THE FOLLOWING: DELINEATION ON ZONING MAP; FINDINGS OF FACT; SEVERABILITY; EFFECTIVE DATE AND PROPER NOTICE AND MEETING.

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

WHEREAS, in the course of adopting the regulations established by the Code, the Planning and Zoning Commission and City Council have given careful consideration to the unique qualities of the City, including the demographics of its inhabitants, the community’s history, geography, natural resources, existing structures, property values, workforce, education levels, commercial base, surrounding communities, public facilities and infrastructure; and,

WHEREAS, the regulations established by the Code have been adopted with reasonable consideration, among other things, for the character of each district and its peculiar suitability for the particular uses; with a view of conserving property values and encouraging the most appropriate use of land in the City; and,

WHEREAS, the regulations established by the Code and in this Ordinance are in furtherance of the public interest, for the good government, peace, order, trade and commerce of the City and necessary and proper for carrying out the power granted by law to the City; and,

WHEREAS, the following enactments are a valid exercise of the City’s broad police powers and based upon the City’s statutory regulatory authority, including but not limited to Texas Local Government Code Chapters 51, 52, and 211; and,

WHEREAS, in accordance with section 9.03.098 of the Code, the Wimberley Planned Development District (WPDD) Zoning is permitted in all Planning Areas of the Comprehensive Plan, and the COMMERCIAL HIGH IMPACT 3 (C-3) zoning district is permitted in Planning Area V; and,

WHEREAS, the purpose of the WPDD is to permit flexibility and creativity within a project to maximize the unique physical features of a particular site, encourage the efficient use of land and economic arrangement of improvements, as well as encourage the conservation of energy and natural resources; and,

WHEREAS, the proposed layout of improvements provides the most efficient and practical use of the property due to the shape of the subject property described herein; and,

WHEREAS, the property owner proposes to conserve and preserve existing natural resources and landscape features of the property by providing enhancements which will be in conformance with the City's aesthetic goals; and,

WHEREAS, the City Council and Planning and Zoning Commission have carefully reviewed the requirements of the City's Comprehensive Zoning Ordinance and has concluded that 320 Wimberley Square, Wimberley, Hays County, Texas (the "Property") qualifies for the Wimberley Planned Development District (WPDD) Zoning, with a base zoning district of Commercial High Impact 3 (C-3) designation, and that such designation is consistent with established City policy and is in the public interest, subject to the conditions stated herein and to be constructed in accordance with the Development Plan to be submitted prior to the issuance of building permits, to be based on the Concept Plan and Design Standards of the subject property, attached hereto and incorporated herein as Exhibit "A" and Exhibit "B" respectively, which is hereby made a part of this WPDD Ordinance; and,

WHEREAS, parties in interest and citizens have had an opportunity to be heard at public hearings conducted by the Planning and Zoning Commission and City Council, on February 13, 2025 and February 20, 2025, respectively, notice of which was published in the City's official newspaper before the 15th day before the first public hearing and agendas for each hearing were posted at City Hall more than seventy-two (72) hours prior to the respective hearing.

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

ARTICLE I. FINDINGS OF FACT

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

ARTICLE II. AMENDMENT

A. Zoning. That the property described as 320 Wimberley Square, Wimberley, Hays County, Texas (the "Property") and more particularly described on the attached survey in Exhibit "C", (referred to herein as the "Property") is hereby designated as a Wimberley Planned Development District, with a base zoning district of Commercial High Impact 3 (C-3) in accordance with the Code of Ordinances and subject to the WPDD Conditions described herein in Subsection B. Further, development and construction on the Property shall be in conformance with the Development Plan to be submitted prior to issuance of building permits, to be based on the Concept Plan, and Design Standards described on Exhibit "A" and "B" respectively, and incorporated by reference for all purposes.

B. WPDD Conditions

1. All provisions of the Commercial High Impact 3 (C-3) zoning district shall apply except as modified herein.
2. Development and construction of the Property shall be in conformance with the Concept Plan, which includes, but is not limited to, building layout, special amenities, square footages and parking, attached as Exhibit "A", and

incorporated by reference for all purposes.

3. Development and construction of the Property shall be in conformance with the Design Standards attached as Exhibit “B” and incorporated by reference for all purposes.

4. All conditions and requirements provided in this Ordinance and the City’s Code of Ordinances must be complied with prior to the issuance of a building permit and certificate of occupancy.

5. All outdoor lighting on the Property shall comply with the provisions of the City of Wimberley Comprehensive Outdoor Lighting Ordinance.

6. All drainage improvements on the Property shall comply with the applicable provisions of the City of Wimberley Code of Ordinances relating to storm water management and water quality control.

7. Permitted uses on the Property shall be limited to the following:

- a. All uses permitted by the Commercial High Impact 3 (C-3) zoning district.
- b. Lodging
- c. Food and Beverage retail sales (market)
- d. Alcoholic beverage sales for off premises and on premises consumption.

All conditions and requirements provided in this Ordinance and the City’s Code of Ordinances must be complied with prior to the issuance of a building permit and certificate of occupancy.

ARTICLE III. ZONING DISTRICT MAP

The official Zoning District Map shall be revised to reflect the zoning district boundary established by this Ordinance.

ARTICLE IV. SEVERABILITY

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

ARTICLE V. EFFECTIVE DATE

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

ARTICLE VI. PROPER NOTICE AND MEETING

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

PASSED AND APPROVED this 20th day of February, 2025, by a vote of __ (Ayes) to __ (Nays) __ (Abstain) vote of the City Council of the City of Wimberley, Texas

CITY OF WIMBERLEY

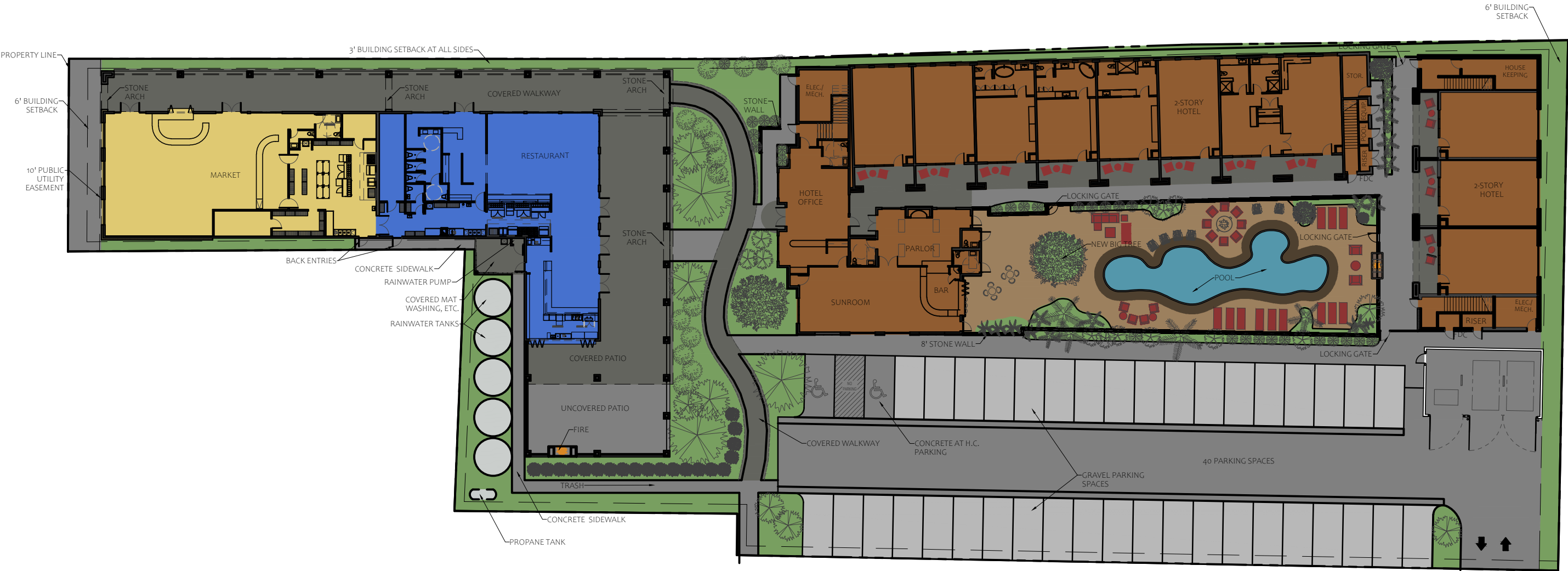
BY: _____
Jim Chiles, Mayor

ATTEST:

Tammy Heller, City Secretary

APPROVED AS TO FORM:

City Attorney



SCHEMATIC SITE PLAN
SCALE: N.T.S.



01/29/2025
DRAWING PREPARED BY
AGAVE DESIGN STUDIO

320 WIMBERLEY SQUARE
Wimberley, Tx 78676



EXHIBIT “B”

Design Standards

The Property described in Ordinance No. 2025-_____ for Case No. ZA-25-001, shall be subject to all development regulations and design standards of the City of Wimberley, except as modified below:

1. Phased Development. The Property shall be developed in phases and by area as shown on the Concept Plan according to the following schedule:

Phase 1: Demolition to be completed in 1 year.

Phase 2: Construction to be completed in 5 years.

2. Buildings. At full build-out the site will have new buildings with a maximum footprint per building of:

Market & Restaurant: 7,100

Hotel: 12,900

3. Roads, Driveways and Parking. At full build-out the site will have 15,500 square feet of new road, driveways and parking area including 8,000 square feet of impervious cover.

4. Additional Impervious Cover.

Covered walkways: 8,000 sq/ft

Pool and surrounding patio: 2,500 sq/ft

Uncovered sidewalk: 3,000 sq/ft

Restaurant patio: 3,500 sq/ft

5. Parking Spaces. At full build-out there will be a total of 40 parking spaces on the site.
6. Rainwater Retention. The development shall provide a combination of detention and retention of stormwater for flood mitigation control, reuse, and irrigation onsite for up to 60,000 gallons (8,000 cubic feet), or as calculated by a licensed professional engineer. The design of stormwater facilities shall be in accordance with the City of Wimberley Drainage Criteria and the Texas Commission on Environmental Quality RG-348.



Wimberley Planned Development District
Planning & Development

FOR OFFICE USE ONLY

Application Date: _____ File No.: ZA - _____ Fees: \$ _____ Paid: ☐ Yes ☐ No Staff Review: _____

Tentative P&Z Hearing: _____ Tentative City Council Hearing: _____ Public Notices ☐ Yes ☐ No

Applicant: Wimberley Snooze & Booze LLC Phone No.: 512-937-4726
Mailing Address: 54 El Camino Real City: Wimberley State: TX Zip Code: 78676
Email: michael@bigtastyhospitality.com

OWNER'S INFORMATION

Owner's Name: Michael Creedy Phone No.: 512-937-4726
Mailing Address: 54 El Camino Real, Wimberley, TX 78676
Email Address: michael@bigtastyhospitality.com

PROJECT SITE ADDRESS: 320 Wimberley Square
Legal Description: CCC Addition, Lot 1 Phone No.: 512-937-4726
Total Acreage or Square Footage: 1.44 Acres Deed Recorded in: Hays County
Hays CAD Parcel ID R- 132436 Planning Area: _____ Zoning: C-3
Is Property located in an overlay district? ☒ Yes ☐ No If Yes, type: City Center Overlay

WIMBERLEY PLANNED DEVELOPMENT DISTRICT (WPDD)

See the Wimberley Code of Ordinances, Section 9.03.098 for full requirements of the Wimberley Planned Development District.

This document sets forth in narrative and graphic form (attached) the purpose, intent, and physical nature of a Wimberley Planned Development District, which is a zoning district that applies only to the property described herein, as provided by Section 9.03.098 of the Wimberley Code of Ordinances.

All references to the "Zoning Ordinance" refer to the ordinance and amendments in effect on the date of the application for this WPDD.

A. PURPOSE AND INTENT:**1. General**

The Wimberley Planned Development District, herein referred to as WPDD, is a special zoning district category that provides an alternate approach to conventional land use controls. The WPDD may be used for individual tracts or on tracts or parcels of land that are under common ownership and are to be developed as one unit according to a master design statement or a master development plan. The WPDD is subject to special review procedures, and once approved by the City Council, it becomes a special zoning classification for the property it represents.

Conventional land use controls tend to segregate uses and concentrate them into specific areas on the land. One of the key objectives of the Comprehensive Plan is to ensure the continuation of the eclectic, mixed-use pattern which characterizes the Wimberley Valley. Toward that end, WPDDs, shall be allowed in all Planning Areas and shall be used to allow otherwise incompatible uses to be sited side by side. While it is not customary to use the planned developments in this way, the WPDD will be the Planning and Zoning Commission 'tool of choice' to ensure that this ordinance does not adversely impact the historical growth patterns of the city.

2. Specific

The purpose and intent of the development under this application is

- a. Compatibility with adjoining and proximate properties:
- b. Preservation of unique physical features of the site:
- c. Achievement of diversified land uses: Market, Restaurant, Lodging
- d. Achievement of continuity of function and design:
- e. Provision of open space and common areas:

Alcohol Sales for on and off premises consumption

B. PERMITTED USES

1. Base Zoning District: C-3
2. Additional uses allowed:
3. Conditional Uses:

C. SITE AREA

1. Total tract Area: 1.44 Acres
2. Net Site Area as defined by section 9.03.005 of the zoning code:
3. Areas in the five slope zones defined in the Net Site Area:
4. Area within a Flood Plain. No
5. Area to be disturbed by development (all phases):

D. EXISTING DEVELOPMENT:

Existing development features and structures that do not comply with the base district provisions and this WPDD development regulations shall be considered legal nonconforming features and structures except as provided under Site Remediation.

Forms & Applications October 2021

8. Drainage

A plan is attached or shown on the Site Plan for storm water drainage for the construction phase (applying to any construction phase) and for the permanent drainage (applying to the entire site and/or each individual subdivided lot).

The storm water management plan shall be adequate for the two-, ten- and twenty-five-year storm events. The plan shall include any necessary engineered designs for storm water retention, detention and filtration facilities, and a demonstration that the proposed development of the property .

1. shall preserve established watercourses as conduits for storm water runoff from higher properties and to lower properties; and
2. shall not result in damage or diminished value of downstream properties by a peak flow of storm water runoff exceeding the historical peak flow rate for each above referenced storm event; and
3. shall not result in an alteration in the historical overland flow pattern of storm water; and
4. shall not result in the conduct of hazardous materials, and pollutants, onto another property or into a waterway.

The plan shall include an analysis of the effect of land grading, including any cut and fill, and/or natural land surface alteration within and outside of the areas of impervious cover. The city may require a hydrological engineering report to demonstrate the adequacy of the plan. Detention, retention, and filtration facilities may be shared between multiple properties. The plan shall also include proposed storm water conveyance for the 100-year storm event

9. Landscaping & Tree Preservation

The areas set aside for landscaping and preservation of natural existing plant material on the site plan will be developed according to the Commercial Landscape regulation, Section 9.03.184, and the Landscaping and Tree Preservation regulation, Section 9.02.373 of the Code of Ordinances, and specifically as described in the attached Landscape Plan.

G. DEVELOPMENT REGULATIONS:

Development regulations for the base district, overlay districts and Ordinances and Development Standards of the City of Wimberley shall apply except as otherwise explicitly provided in this WPPD.

1. In the absence of a connection to a State Licensed central wastewater treatment utility, a current Hays County private wastewater permit for the existing and/or proposed use and discharge rate shall be required.
2. Evidence shall be provided of compliance 30 TAC Chapter 213: Subchapter B: Contributing Zone to The Edwards Aquifer in Medina, Bexar, Comal, Kinney, Uvalde, Hays, Travis And Williamson Counties. 213.20 — 213.28, Effective April 24th, 2008
3. Permanent and construction phase drainage plans shall be provided and be subject to review by the City.
4. A plan for a curb cut or interface between a private road or drive and a City Street shall be provided and be subject to review by the City. Evidence of curb cut permission from Texas Department of Transportation shall be provided when applicable.
5. New and existing signage shall comply with the Code of Ordinances Article 4.08 Signs and be of uniform style.
6. An Outdoor Lighting Plan is attached showing how new and existing outdoor lighting, including lighting for any form of illuminated sign, shall comply with the Code of Ordinances Section 9.03.184 Outdoor Lighting.

Forms & Applications October 2021

7. Open storage or placement of materials, commodities or equipment and machinery, including motor vehicles and trailers, shall be within the building setback and shall be fully screened, by fence (as permitted by the City) and/or vegetative screening, from City streets or roads or adjacent or facing residential or un-zoned districts. Outdoor placement or display of commercial material and equipment for sale in the building setback space, or the outdoor display of any object, merchandise, or material that is not a usual item for sale under the permitted use for the site or lot is prohibited.
8. Additional development regulations including but not limited to uses, density, lot area, lot width, lot depth, yard depths and widths, building height, building elevations, coverage, floor area ratio, parking, access, setbacks, screening, landscaping, accessory buildings, signs, lighting, project phasing or scheduling, management associations, and other requirements as the City Council and the Planning and Zoning Commission may deem appropriate are as follows:

Date: 1/23/2025

APPLICANT SIGNATURE

DocuSigned by:

 221FFB8935F5469...

WHEN APPLICABLE:

Date: _____

AGENT SIGNATURE _____

Additional Impervious Cover
 8,000 sq/ft covered walkways and balconies
 2,500 sq/ft pool & adjacent surrounding
 3,000 sq/ft uncovered sidewalk
 3,500 sq/ft restaurant patio

Rainwater Retention

The development is planned to provide a combination of detention and retention of stormwater for flood mitigation control, reuse, and irrigation onsite for up to 60,000 gallons (8,000 cubic feet) or as calculated by a licensed professional engineer. The design of stormwater facilities shall be in accordance with the City of Wimberley Drainage Criteria and the Texas Commission on Environmental Quality RG-348.