



# 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**  
**WEDNESDAY, MARCH 19, 2025 - 6:00 PM**

## **AGENDA**

1. **CALL TO ORDER** March 19, 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 February 13th, 2025 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-25-004, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) at 110 Malone Drive, Wimberley, Texas.
  - 5.2. Hold a public hearing and consider making a recommendation to City Council regarding case CUP-25-005, an application for a Conditional Use Permit to allow for administrative and professional office use at 45 La Buena Vista Dr, Wimberley, TX
  - 5.3. Hold a public hearing and consider possible action on a Replat of Lot 38, Paradise Hills, Section 2, and 10.79 acres in the Thomas Carothers Survey, Abstract 106 located at 300 Sunrise Drive, Wimberley.
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 March 7, 2025, 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

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**REGULAR PLANNING AND ZONING COMMISSION MEETING**  
**WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS**  
**221 STILLWATER, WIMBERLEY, TEXAS 78676**  
**THURSDAY, FEBRUARY 13, 2025 - 6:00 PM**

## **MINUTES**

1. **CALL TO ORDER** February 13, 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  
Jerry Lunow  
Michael Rambo

**Staff Present:**

Nathan Glaiser, ACA/Director of Development  
Services  
Tim Patek, City Administrator  
Myrna Marinelarena, Permit & Customer Service  
Coordinator

**Commissioners Absent:**

Vance McCracken

3. **CITIZENS COMMUNICATIONS**

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Steve Klepfer, spoke about his history on the Planning and Zoning Commission and City Council. He provided information on the creation of Conditional Use Permits (CUPs) when the city incorporated and stated this process works. He provided an explanation of a Wimberley Planned Development District (WPDD) and stated this is critical in our zoning ordinance. He stated a WPDD is a negotiation with developers and serves as a resolution tool.

4. **MINUTES**

4.1. Consider approval of the January 14, 2024 Planning and Zoning Commission meeting minutes.

A motion was made by Commissioner Lunow, seconded by Commissioner Sharp, to approve the January 14, 2025 Planning & Zoning Commission meeting minutes. The motion carried unanimously (6-0).

## **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.

Nathan Glaiser, ACA/Director of Development Services, provided a presentation regarding an application for a Conditional Use Permit (CUP-25-001), to allow for the operation of Vacation Rental at 1830 Flite Acres. This property is just under an acre, he noted, the applicants, Richard and Julie Steinbrink, are requesting a short-term rental with a max occupancy of 8 guests. Mr. Glaiser stated this property is on the Blanco river with available parking in the driveway. Mr. Glaiser stated this was properly notified and informed the commission of the letter of opposition received by a neighbor.

Chair Ulfelder opened the Public Hearing at 6:10 p.m.

The following citizens made comments:

Rick Allen, spoke in opposition to this request and stated that the renters trespass on others properties to access the river. He would like to see this request denied.

Chris and Amy Lyles, stated the decision the commission makes this evening will affect their quality of life. She expressed her opposition and asked that the Commission deny this request.

There being no further comments, the Public Hearing was closed at 6:17 p.m.

The commission made comments and posed questions regarding the consistency of CUPs in the area, an inquiry when the previous short term rental lost grandfather status, and why the applicant is not here this evening.

Upon completion of discussion, a motion was made by Commissioner Lunow, seconded by Commissioner Rambo, to deny CUP-25-001, as presented. The motion carried unanimously (6-0).

- 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.

Nathan Glaiser, ACA/Director of Development Services, provided a presentation regarding an application for a Conditional Use Permit (CUP-25-002), to allow for the operation of Vacation Rental at 120 Hoots Holler. He noted that the applicants, Russell and Angela Guynes, are requesting a max occupancy of 8 guests and the property has available parking in the driveway. This was properly notified and there have been no comments received.

Chair Ulfelder opened the Public Hearing at 6:21 p.m. There being no comments, the Public Hearing was closed at 6:21 p.m.

A motion was made by Commissioner O'Kane, seconded by Commissioner Rambo, to approve CUP-25-002, as presented. The motion carried unanimously (6-0).

- 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.

Nathan Glaiser, ACA/Director of Development Services, provided a presentation regarding an application for a Conditional Use Permit (CUP-25-003), to allow for the operation of Vacation Rental at 2215 Spoke Hollow. He noted, the applicant, James Salter, is requesting a max occupancy of 11 guests. Mr. Glaiser stated this property is located on the Blanco River with available parking in the driveway. This property was properly notified and numerous letters of opposition were received as well as a few that were in support.

Chair Ulfelder opened the Public Hearing at 6:27 p.m.

The following citizens made comments:

Mac McCullough, made comments about communicating with the owners of short-term rentals and City Council's ability to revoke the CUP if there are complaints. He also provided history on the Hidden Valley Bridge.

Drew Dunlap, spoke in opposition to the requested CUP, citing safety concerns due to the one-way road.

Ellen Sauer, spoke in opposition to the requested CUP, citing concerns about allowing investors to turn this neighborhood into a business.

Chris Seer, spoke in opposition to the requested CUP. He stated he purchased in this neighborhood because of the restrictions against home-based businesses and short-term rentals. He expressed concern about parking requirements and the properties' non-compliance with dark sky requirements.

James Salter, applicant, spoke in support of the request and stated that he owns seven other short-term rentals in the community. He stated there had been no complaints from neighbors or renters on any of his properties. Mr. Salter addressed questions posed by the commission regarding parking and resolving issues with the deed restrictions.

Joshua Crumpton spoke in opposition to the requested CUP, citing critical safety, related to fire hazards, and compliance concerns related to the prohibition of short-term rentals in the deed restrictions.

Dan Craddock, spoke about the deed restrictions and stated residents live here because they don't want short-term rentals. He voiced concerns about potential risks to the community, including legal action, if the CUP were approved.

Sharon Highnote, spoke in opposition to the requested CUP.

There being no further comments, the Public Hearing was closed at 6:51 p.m.

Upon completion of discussion, a motion was made by Commissioner Sharp, seconded by Commissioner Lunow, to deny CUP-25-003, as presented. The motion carried unanimously (6-0).

- 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.

Nathan Glaiser, ACA/Director of Development Services, presented an application for the Wimberley Planned Development District (WPDD) (ZA-25-001) located at 320 Wimberley Square. Mr. Glaiser provided the definition of a WPDD. It 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.*

The applicant, Wimberley Snooze & Booze LLC, is requesting Wimberley Planned Development District (WPDD) zoning for a property at 320 Wimberley Square, Wimberley. Mr. Glaiser presented the proposed Ordinance, concept plan and design standards. He noted this was properly notified and no letters of opposition were received.

Mr. Glaiser asked the Commission to consider the following conditions of the WPDD:

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 footage 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 that are 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.

If approved, development must be in conformance with the design standard and concept plan (attached as exhibits to the Ordinance). The applicant is requesting a 20-room hotel, a restaurant, and a market on this property.

Chair Ulfelder opened the Public Hearing at 7:03 p.m.

The following citizens made comments:

Tom Buse, spoke in support of the proposed WPDD, citing the owner is a local, a business owner here in town, and is addressing concerns that citizens have regarding this property.

Travis Brown, spoke in opposition to the proposed WPDD, citing concerns of excessive growth like Bee Cave, his hometown. He expressed concern about lack of water, parking and the increase in property values on the surrounding properties.

Steve Klepfer, expressed concerns about the proposed WPDD, but overall, he is in support, but not in its current form. He expressed appreciation to the owner for his communication about this project. He expressed concern about the demolition process, the amount of stormwater that would come from this property, and parking.

There being no further comments, the Public Hearing was closed at 7:18 p.m.

Michael Creacy, applicant, expressed support of this request and responded to questions posed by the Commission related to the amount of seating in the restaurant, parking requirements, water usage/water storage, impervious cover, and landscaping.

Mr. Creacy stated he will be complying with all requirements within the C-3 zoning classification, except for lodging, and this is why he is requesting a WPDD.

Upon completion of discussion, a motion was made by Commissioner O'Kane, seconded by Commissioner Lunow, to deny CUP-25-001, until the following issues are addressed: stormwater management, review of parking arrangements, and water retention/water reuse solutions. The motion carried (5-1), with one dissenting vote.

## **6. BOARD MEMBER REPORTS**

### **6.1. Announcements**

No announcements this evening.

### **6.2. Future Agenda Items**

7. **ADJOURNMENT**

Chair Ulfelder adjourned the meeting at 7:48 p.m.

**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>5.1 CUP-25-004</b>                  |
| <b>SUBMITTED BY:</b>   | Nathan Glaiser, Assistant City Manager |
| <b>DATE SUBMITTED:</b> | 3/4/2025                               |
| <b>MEETING DATE:</b>   | 3/19/2025                              |

## REPORT

### ITEM

The applicant, Charles Boatright, is requesting a Conditional Use Permit to operate a Short-Term Rental 2 (non-owner-occupied vacation rental) at 110 Malone Dr, Wimberley. They are requesting a maximum of 4 guests. There is parking available in the driveway.

### PROPERTY INFORMATION

#### Property Description

|                                  |                                        |
|----------------------------------|----------------------------------------|
| <b>Applicant(s):</b>             | Charles Boatright                      |
| <b>Property Address:</b>         | 110 Malone Dr                          |
| <b>Property Owner:</b>           | Charles Boatright                      |
| <b>Legal Description:</b>        | Lots 14, 15 & 16 Hidden Valley Estates |
| <b>Property Size:</b>            | .75 acres                              |
| <b>Existing Use of Property:</b> | Residential                            |
| <b>Existing Zoning:</b>          | R2                                     |
| <b>Shared Infrastructure</b>     | None                                   |
| <b>Request:</b>                  | STR2                                   |
| <b>Planning Area:</b>            | III                                    |
| <b>Overlay District:</b>         | Protected Waterway                     |

#### Surrounding Property:

**Frontage:** Malone

| Surrounding Zoning<br>& Land Use | North of Property<br><br>South of Property | <b>Current Zoning:</b> | <b>Existing Land Use:</b>     |
|----------------------------------|--------------------------------------------|------------------------|-------------------------------|
|                                  |                                            | C2<br><br>R2           | Commercial<br><br>Residential |

**East of Property  
West of Property**

**R2  
C1**

**Residential  
Commercial**

### COMMENTS

Staff has not received any comments as of 3/7/25.

### LEGAL NOTICE

**Surrounding Neighbor Notification Letters (200'):** 2/28/2025  
**Published Legal Notice (Wimberley View):** 2/27/2025

### RECOMMENDATION

Staff defers to P&Z for their recommendations.

### CRITERIA FOR CONSIDERATION

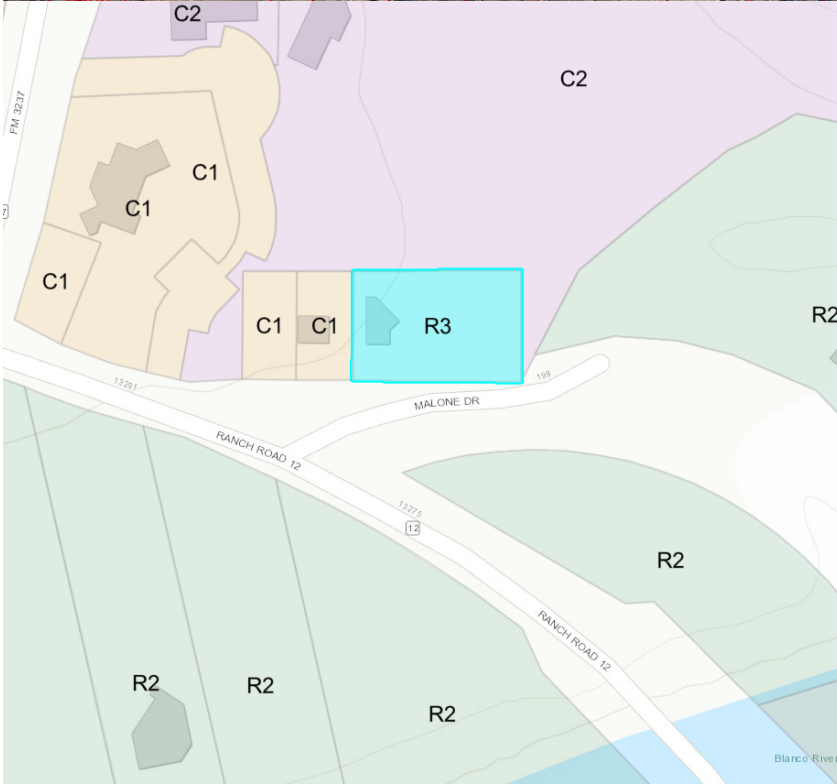
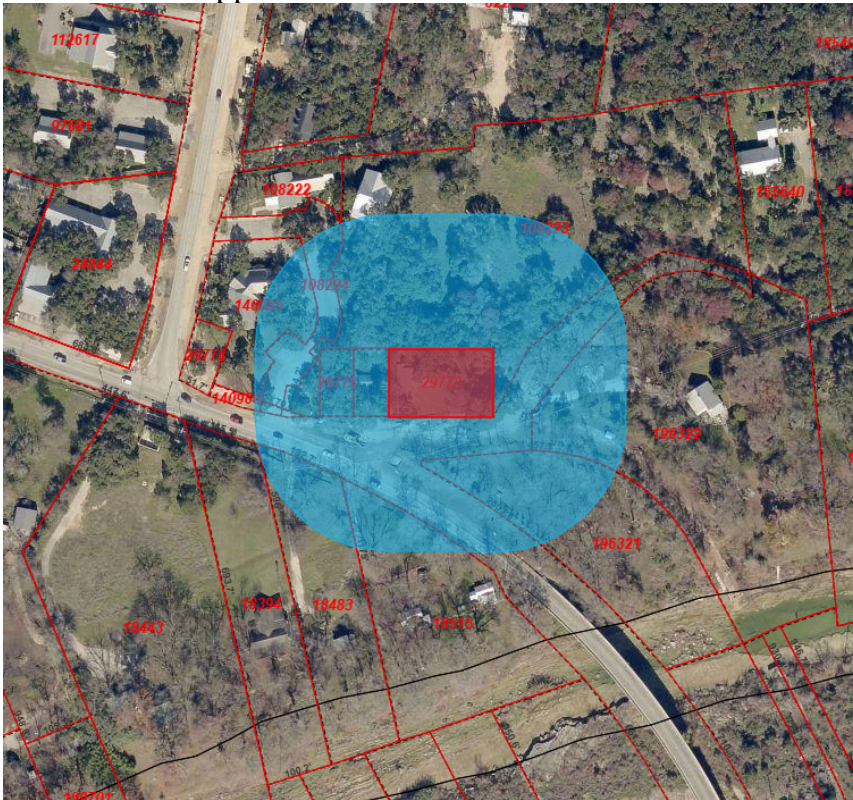
- (A) The use is harmonious and compatible with surrounding existing uses or proposed uses, and does not more adversely affect an adjoining site than would a permitted use;
- (B) The architecture, facade, and signage designs of the use are traditional Hill Country designs and are harmonious with those 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: CHARLES BOATRIGHT  
Mailing Address: 2205 SPOKE HOLLOW City: WIMBERLEY State: TX Zip: 78676  
Phone: [REDACTED]

**OWNER'S INFORMATION**

Property Owner: C. BOATRIGHT / OLD KATY INVESTMENTS, LTD  
Mailing Address: 2205 SPOKE HOLLOW City: WIM. State: TX Zip: 78676  
Phone: [REDACTED]

**PROJECT SITE ADDRESS:** 110 MALONE DR.

Legal description: LOT 13, 14, 15 HARRISON RESORT SEC. 1

Total Acreage or Square Footage: 3/4 AC Deed recorded in: HAYS

Hays CAD Parcel ID R- 29773 Planning Area: III Zoning: R3

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: PEDERALS ELECTRIC

Water provider or Private Well: WIMBERLEY WATER

Wastewater Service or Septic Permit No. 2016-29

\*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: \_\_\_\_\_

3/4/2025

Forms & Applications October 2021 2

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

OWNER: CHARLES BOATRIGHT

LOCATION OF PROPERTY: 110 MALONE DRIVE

LEGAL DESCRIPTION: Harrison Resort Section 1 Lot 13, 14, 15

PLANNING AREA: III PRESENT ZONING: R2

EXISTING USE: HOUSE

HOMEOWNERS ASSOCIATION CONTACT INFO: N/A

SHARED FACILITIES (RIVER PARK, POOL, ETC.): NO

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 4 guests. Parking will be in these spaces only.

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

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

NUMBER OF BEDROOMS: 2 PROPOSED MAXIMUM OCCUPANCY: 4 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 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

CHARLES BOATRIGHT  
PRINT NAME

3/4/2025  
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. 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.

## ZONING REQUIREMENTS

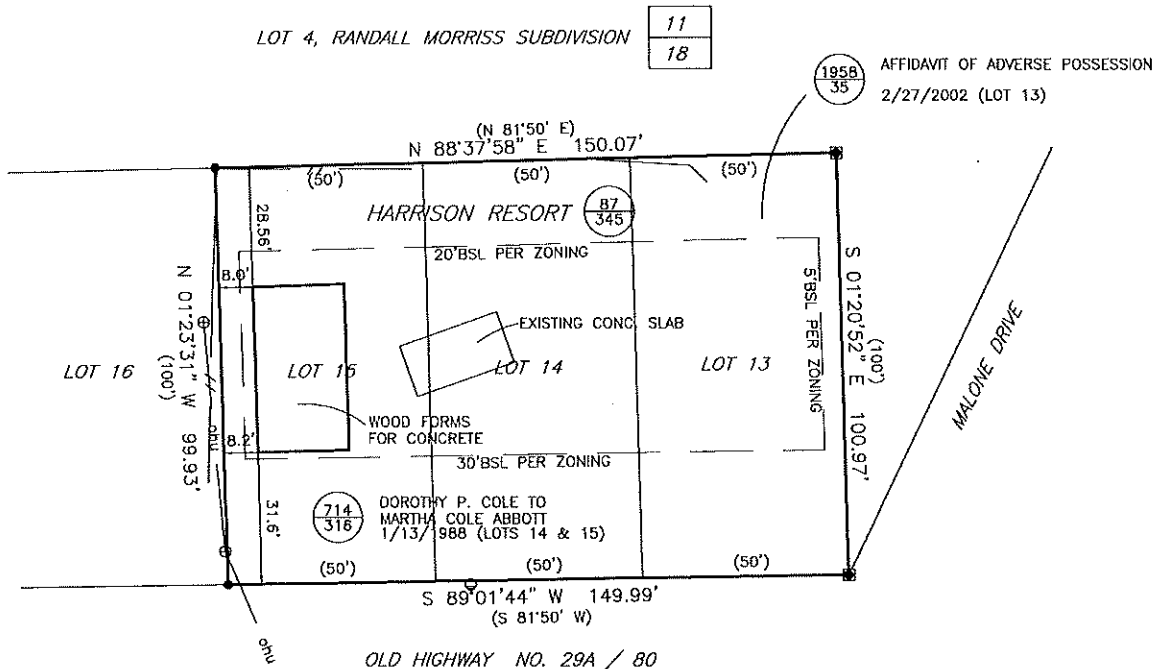
ACCORDING TO THE CITY OF WIMBERLEY ZONING ATLAS THIS LOT IS ZONED "R3" AND IS SUBJECT TO THE FOLLOWING RESTRICTIONS:

- MINIMUM FRONT YARD SETBACK - 30'
- MINIMUM SIDE YARD SETBACK - 5'
- MINIMUM REAR YARD SETBACK - 20'

BECAUSE THERE MAY BE A NEED FOR INTERPRETATION OF THE APPLICABLE ZONING CODES, WE REFER YOU TO THE CITY OF WIMBERLEY 221 STILLWATER WIMBERLEY, TX. 78676 512-847-0025



ORIGINAL SCALE  
1" = 30'

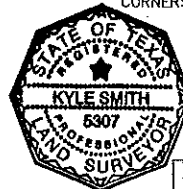


## LEGEND

- HAYS COUNTY DEED, REAL PROPERTY OR OFFICIAL PUBLIC RECORDS
- HAYS COUNTY PLAT RECORDS
- 1/2" IRON ROD FOUND OR DIAMETER NOTED
- IRON ROD FOUND WITH ALUMINUM CAP STAMPED "PRO TECH ENG."
- WOOD FENCE
- WIRE FENCE
- UTILITY LINE, POLE AND GUY
- WATER METER
- BSL BUILDING SETBACK LINE

TO MARTHA ABBOTT, 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 5/10/2016. THAT ALL PROPERTY CORNERS ARE MONUMENTED AS SHOWN HEREON.



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

**BYRN & ASSOCIATES, INC.**

**ENGINEERS SURVEYORS**

P.O. BOX 1433 SAN MARCOS, TEXAS 78667  
PHONE 512-396-2270 FAX 512-392-2945

CLIENT: ABBOTT, MARTHA  
DATE: 5/10/2016  
OFFICE: K. SMITH  
CREW: K. SMITH  
FB/PG: 741/58  
PLAT NO. 27264-16-b

PLAT OF LOTS 13, 14 AND 15,  
HARRISON RESORT, CITY OF  
WIMBERLEY, HAYS COUNTY, TEXAS



|                        |                                        |
|------------------------|----------------------------------------|
| <b>AGENDA ITEM:</b>    | <b>CUP-25-005</b>                      |
| <b>SUBMITTED BY:</b>   | Nathan Glaiser, Assistant City Manager |
| <b>DATE SUBMITTED:</b> | 2/20/2025                              |
| <b>MEETING DATE:</b>   | 3/19/2025                              |

## REPORT

### ITEM

The applicant, Gregory W. Grazdan, is requesting a Conditional Use Permit to allow for administrative and professional office use at 45 La Buena Vista Dr, Wimberley. This property was originally used as a Montessori school. It is zoned NS for Neighborhood Services. The only permitted uses in Neighborhood Services is religious assembly and single-family residential. All other commercial uses must have a conditional use permit. Administrative and Professional Offices include:

- Insurance, real estate, attorneys, accountants, architects, investment services, travel agencies;
- Photography studios, doctors, dentists;
- Nonprofit organizations (with certain restrictions);
- Research services: limited;
- Office; and
- Arts and crafts.

There are currently two 1-story buildings on the property making up a total floor space of 5,233 square feet.

### PROPERTY INFORMATION

#### Property Description

|                                  |                                                               |
|----------------------------------|---------------------------------------------------------------|
| <b>Applicant(s):</b>             | Gregory W. Grazdan                                            |
| <b>Property Address:</b>         | 45 La Buena Vista                                             |
| <b>Property Owner:</b>           | La Buena Vista 45 LTD                                         |
| <b>Legal Description:</b>        | Twenty Three Twenty Five Business Park, Lot 1, Blk 1, 1.50 Ac |
| <b>Property Size:</b>            | 1.5 Acres                                                     |
| <b>Existing Use of Property:</b> | Vacant – was Montessori School                                |
| <b>Existing Zoning:</b>          | NS – Neighborhood Services                                    |

**Shared Infrastructure**                None

**Request:**                                Administrative and Professional Offices

**Planning Area:**                      II

**Overlay District:**                    None

**Surrounding Property:**

**Frontage:**                                La Buena Vista

|                                              |                          | <b>Current Zoning:</b> | <b>Existing Land Use:</b> |
|----------------------------------------------|--------------------------|------------------------|---------------------------|
| <b>Surrounding Zoning<br/>&amp; Land Use</b> | <b>North of Property</b> | R2                     | Residential               |
|                                              | <b>South of Property</b> | NS                     | Commercial                |
|                                              | <b>East of Property</b>  | R2                     | Residential               |
|                                              | <b>West of Property</b>  | C1                     | Commercial                |

**COMMENTS**

Staff has not received any comments as of 3/7/25.

**LEGAL NOTICE**

**Surrounding Neighbor Notification Letters (200'):**    2/28/2025

**Published Legal Notice (Wimberley View):**                2/27/2025

**RECOMMENDATION**

Staff recommends approval of this request. This property is already developed as a commercial property with a history of non-residential use. This property geographically is located between the residential neighborhood on La Buena Vista and the commercial properties on FM 2325. The comprehensive plan states that office and light commercial uses should serve as transitions between residential and higher-intensity commercial uses. Staff feels that allowing office and administrative use on this property would accomplish that goal and be of more benefit to the City than redeveloping the property to a single-family residence.

**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.

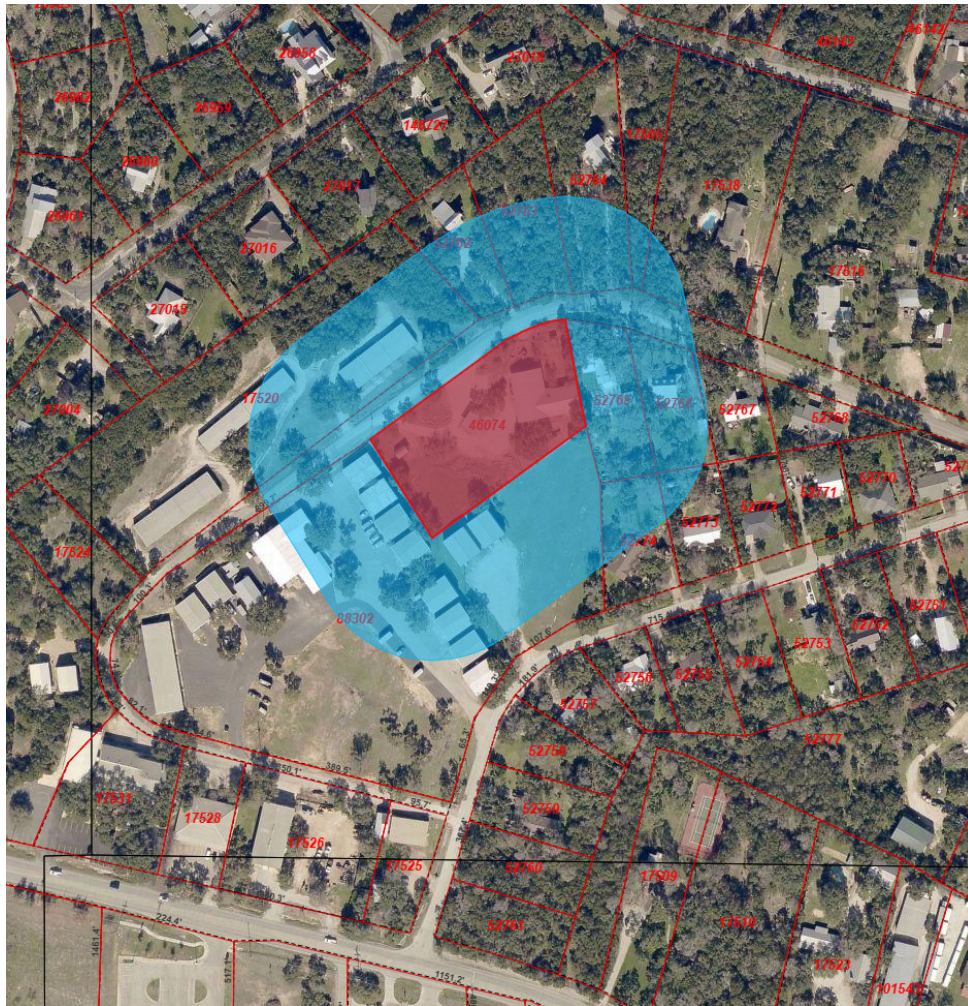
Possible Motions can include:

- 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: Gregory W. Grazdan

Mailing Address: 580 Spoke Hollow Road City: Wimberley State: TX Zip: 78676

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

**OWNER'S INFORMATION**

Property Owner: La Buena Vista 45 LTD

Mailing Address: 151 S. Yendor Drive City: Midland State: MI Zip: 48640

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

**PROJECT SITE ADDRESS:** 45 La Buena Vista Drive, Wimberley, TX 78676

Legal description: Twenty Three Twenty Five Business Park, Lot1, Blk1, 1.50 AC

Total Acreage or Square Footage: 1.50 Acre Deed recorded in: 6/23/2004

Hays CAD Parcel ID R- 46074 Administrative and Planning Area: \_\_\_\_\_ Zoning: \_\_\_\_\_

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

**SPECIFIC CONDITIONAL USE REQUEST:** Administrative and Professional Office use.

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 Coop

Water provider or Private Well: Public

Wastewater Service or Septic Permit No. Septic

\*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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CF NO. 8996-23-42457CM PATTEN TITLE  
ADDRESS: 45 LA BUENA VISTA DRIVE  
BORROWER: WIMBERLEY, TEXAS 78676

# LOT 1, BLOCK 1 2325 BUSINESS PARK

ACCORDING TO THE MAP OR PLAT THEREOF RECORDED  
IN VOLUME 5, PAGE 62 OF THE MAP RECORDS  
OF HAYS COUNTY, TEXAS

NOTE: BANQUET UTILITY EASEMENT GRANTED TO WIMBERLEY  
WATER SUPPLY AS PER VOL. 2334, PG. 889.



THIS PROPERTY DOES NOT LIE WITHIN THE  
WIMBERLEY EASEMENT FOR FIRM  
PANEL NO. 4230C 0230 F  
DATE EXTENSION: 09/02/2003

BASED ONLY ON VISUAL EXAMINATION OF MAPS  
AND RECORDS, WITHOUT SURVEY FIELD STUDY  
DETERMINATION, WITHOUT DETAILED FIELD STUDY.

A SUBSURFACE INVESTIGATION  
WAS BEYOND THE SCOPE OF THIS SURVEY

DRAWN BY: PR



THESE EASEMENTS AND THE SURVEY LINE MADE  
ON THE GROUND THAT THIS PLAT CORRECTLY  
REPRESENTS THE FACTS FOUND AT THE  
ENFORCEMENT OF THE EASEMENTS  
APPEARING ON THE GROUND.  
THESE EASEMENTS ARE NOT TO BE  
CONSIDERED FOR THIS TRANSACTION ONLY AND  
ATTRACTING PROVIDED IN THE ABOVE  
EASEMENTS ARE NOT TO BE CONSIDERED  
UPON IN PREPARATION OF THIS SURVEY.

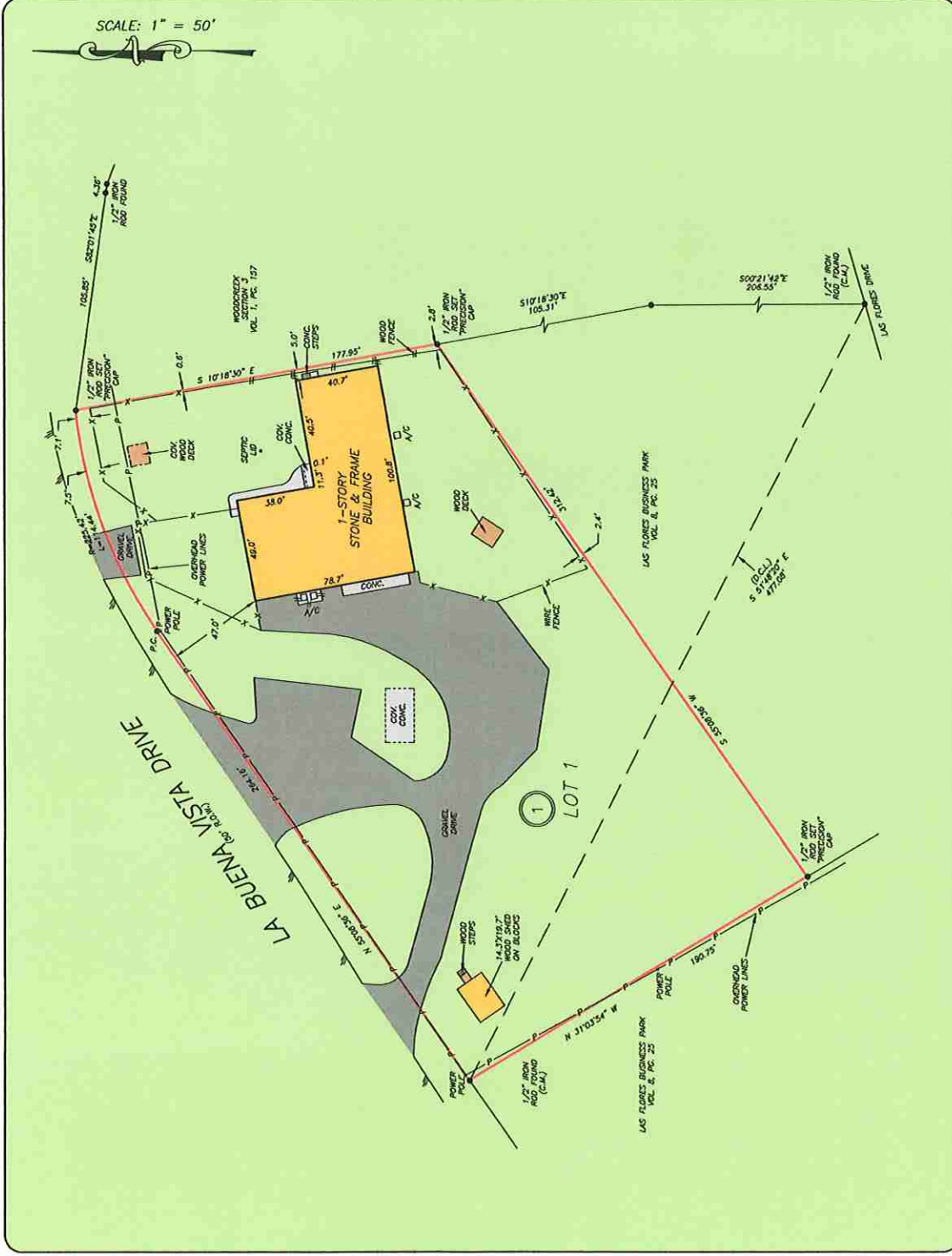
JAMES E. MOSLEY  
PROFESSIONAL LAND SURVEYOR  
NO. 5912  
JOB NO. 243024-01045  
JANUARY 23, 2024

1-800-LANDSURVEY  
www.precisionlandsurvey.com  
231-498-1586 FAX 231-498-1857  
800 THEWHEELER STREET SUITE 100 HOUSTON, TEXAS 77059  
FIRM NO. 10063700

PRECISION  
surveyors



TREVOR SCHILLING  
713-678-0464





## FLOOR PLAN ON SITE

Total Floor Area: 5,633 sq.ft.

1. Four separate entrances with the opportunity to create 4 rentable suites
2. Each suite already includes a bathroom and kitchenette
3. Sizes ranging in the 1,000-2,000 square foot range with flexibility for variations
4. Full space is currently accessible, suites can be easily separated by drywalling doorways

Buyer to perform due diligence to verify any zoning, construction, or marketing details stated here

45 La Buena Vista Drive



|                        |                                                                                                                                                                                                               |
|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>AGENDA ITEM:</b>    | 3. Hold a public hearing and consider possible action on a Replat of Lot 38, Paradise Hills, Section 2, and 10.79 acres in the Thomas Carothers Survey, Abstract 106 located at 300 Sunrise Drive, Wimberley. |
| <b>SUBMITTED BY:</b>   |                                                                                                                                                                                                               |
| <b>DATE SUBMITTED:</b> | 02/26/2025                                                                                                                                                                                                    |
| <b>MEETING DATE:</b>   | March 19, 2025                                                                                                                                                                                                |

## AGENDA FORM

### ITEM DESCRIPTION/SUMMARY

Staff recommends approval of this replat. It was granted a variance for the steep slope ordinance by City Council at their meeting on February 20th. The replat is now compliant with all applicable regulations of the City of Wimberley and should be approved as presented.

### REQUESTED ACTION

Motion

### FINANCIAL

### STAFF RECOMMENDATION

Staff recommends approval of this replat.

### ATTACHMENT/S

1. Clevenger replat 11-27-24

