



City of Wimberley

221 Stillwater, Wimberley, Texas 78676

REGULAR PLANNING AND ZONING COMMISSION MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676
THURSDAY, AUGUST 14, 2025 - 6:00 PM

AGENDA

1. **CALL TO ORDER** August 14, 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 July 10, 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-25-011, an application for a Conditional Use Permit to allow the operation of a package store at 13620 Ranch Road 12, Ste. 1 Wimberley.
 - 5.2. Hold a public hearing and consider making a recommendation to City Council regarding case CUP-25-012, an application for a Conditional Use Permit to allow the operation of a Short-Term Rental 2 at 275 Stoney Creek Meadow Drive, Wimberley.
 - 5.3. Hold a public hearing and consider possible action on a Certificate of Appropriateness for the demolition and reconstruction of a building located at 151 Old Kyle Road, Wimberley.
6. **DISCUSSION AND POSSIBLE ACTION**
 - 6.1. Receive a staff update and hold discussion regarding proposed goals and objectives for the Planning and Zoning Commission.
7. **BOARD MEMBER REPORTS**
 - 7.1. Future Agenda Items

7.2. Announcements

8. **ADJOURNMENT**

EXECUTIVE SESSION NOTE: The Planning and Zoning Commission may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion. The City Council may also publicly discuss any item listed on the agenda for Executive Session

Attendance by Other Elected or Appointed Officials: It is anticipated that members of other governmental bodies, and/or city boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum. The members of the boards, commissions and/or committees may be permitted to participate in discussion on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless item and action is specifically provided for on an agenda for that body, board, commission or committee subject to the Texas Open Meetings Act.

CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the bulletin board at Wimberley City Hall, a place convenient and readily accessible to the general public at all times, and to the City's website, www.cityofwimberley.com, in compliance with Chapter 551, Texas Government Code, on Monday, August 11, 2025 by 4:00 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
THURSDAY, JULY 10, 2025 - 6:00 PM

MINUTES

1. CALL TO ORDER

The regular Planning and Zoning Commission meeting for July 10, 2025, was called to order at 6:00 PM.

2. CALL OF ROLL

Chairperson Anne Ulfelder called the roll. The members were Mac McCullough, Ben O'Kane, Anne Ulfelder, Vance McCracken, Chris Sharp, and Jerry Lunow. Matt Joyce was absent. Nathan Glaiser, Assistant City Manager/Director of Development services and Tammy Heller, City Secretary were also in attendance.

3. CITIZENS COMMUNICATIONS

The chairperson explained the rules for citizen communications, including the three-minute time limit, one opportunity to speak, and guidelines for appropriate conduct. There were no citizen comments this evening.

4. ELECTION OF OFFICERS

4.1 Consider the appointment of a Chairperson to the Planning and Zoning Commission with a term ending June 30, 2026.

Commissioner McCullough nominated the current Chairperson, Ulfelder for reappointment. The nomination was seconded by Commissioner McCracken, and the motion passed with unanimous approval.

4.2 Consider the appointment of a Vice-Chairperson to the Planning and Zoning Commission with a term ending June 30, 2026.

Commissioner McCracken nominated the current Vice-Chairperson, O'Kane, for reappointment. The nomination was seconded by Commissioner Sharp, and the motion passed with unanimous approval.

5. MINUTES

5.1 Consider approval of the May 8, 2025 regular Planning and Zoning Commission Meeting Minutes.

The commission reviewed the minutes of the May 8, 2025 regular meeting. A motion was made to accept the minutes as presented.

Commissioner McCullough moved to accept the minutes as presented. The motion was seconded by Commissioner Sharp. The motion passed unanimously.

5.2 Consider approval of the May 9, 2025 special Planning and Zoning Commission Meeting Minutes.

The commission then considered the minutes of the May 9, 2025 special meeting. A motion was made to accept these minutes as well.

Commissioner McCullough moved to accept the May 9, 2025 special meeting minutes. The motion was seconded by Commissioner Sharp. The motion passed unanimously.

6. PUBLIC HEARING AND POSSIBLE ACTION

6.1 Hold a public hearing and consider making a recommendation to the city council regarding Case CUP-25-009, an application for a Conditional Use Permit to allow for the operation of a vacation rental (STR2) at 300 Rhodes Lane, Wimberley.

Nathan Glaiser, presented the details of the application. He explained that the property at 300 Rhodes Lane is a 1-acre lot zoned Commercial 1, despite being a residential property. The applicant requested a short-term rental 2 (STR2) permit for a non-owner occupied vacation rental, with a maximum of 8 guests and parking available in the U-shaped driveway.

Commission members raised several questions and concerns:

- Inquiry about the type of structure on the property, which was confirmed to be a single-wide mobile home.
- Concerns were expressed about the requested occupancy of 8 people for a 3-bedroom home.
- Questions were raised about the potential for additional structures on the lot, given its commercial zoning.
- The commission discussed the possibility of restricting the permit to the existing structure only.

Chair Ulfelder opened the public hearing at 6:08 p.m.

The applicant, Elise Eaton, addressed the commission and provided additional information:

- She purchased the property in October with the intention of using it as a "grandma house" and renting it out when not in use.
- The property is 1 acre and zoned commercial, with potential for future development of additional cabins.

- She has spoken with some neighbors about her intentions and mentioned that nearby properties include other short-term rentals and undeveloped land.
- The request for 8 occupants was based on the available beds: 3 bedrooms with various bed configurations and a pull-out sofa.

Chair Ulfelder, closed the public hearing at 6:17 p.m.

Commission members expressed concerns about the high occupancy request for the size of the structure (1250 square feet) and potential issues with parking and septic capacity. After discussion, a motion was made to recommend approval with conditions.

Commissioner McCullough moved to recommend the approval of CUP-25-009, a Conditional Use Permit for 300 Rhodes Lane, Wimberley, with the following conditions: The permit is based on the existing mobile home structure only. A maximum occupancy of 6 adults is allowed, with no specific limit on children. The motion was seconded by Commissioner McCracken. The motion passed unanimously.

7. BOARD MEMBER REPORTS

7.1 Future agenda items

No future agenda items were proposed by the commission members.

7.2 Announcements

Commissioner McCullough announced he would be absent from any meetings held in July or August due to pre-planned travel arrangements to Coronado, California.

Adjournment

The meeting was adjourned at 6:27 p.m.

RECORDED BY:

APPROVED BY:

Planning & Zoning Commission Staff Liaison

Planning & Zoning Commission Chairperson





AGENDA ITEM:	CUP-25-011
SUBMITTED BY:	Nathan Glaiser, ACA / Development Director
DATE SUBMITTED:	7/23/2025
MEETING DATE:	PZC: 8/14/2025 Council: 8/21/2025

REPORT

ITEM

The applicant, John Messina (representing Old Rock Grove LLC), is requesting a Conditional Use Permit to operate a Package Store 13620 Ranch Road 12 STE 1, Wimberley. This is a strip retail center located on Ranch Road 12 adjacent to existing business Fair Dinkum Coffee. A “Package Store” is defined as “a store that sells bottled or canned beer and wine beverages for consumption off the premises.” The applicant is proposing a small convenience store or “bodega” at the location. This property is within the City Center Overlay and is zoned Commercial Low Impact C-1. Package Store is a conditional use within the C-1 zoning district and is allowed within the City Center Overlay upon approval of a Conditional Use Permit.

PROPERTY INFORMATION

Property Description

- Applicant(s):** John Messina
- Property Address:** 13620 Ranch Road 12 STE 1
- Property Owner:** Old Rock Grove LLC
- Legal Description:** ABS 461 CHARLES OLDHAM SUB A TURNER SURVEY
- Property Size:** 800 Square Feet of .57 acre lot
- Existing Use of Property:** Retail/Vacant
- Existing Zoning:** C-1
- Shared Infrastructure** None
- Request:** Package Store
- Planning Area:** IV
- Overlay District:** City Center

Surrounding Property:

Frontage: Ranch Road 12

		Current Zoning:	Existing Land Use:
Surrounding Zoning & Land Use	North of Property	C2	Commercial
	South of Property	C1	Commercial
	East of Property	C3	Commercial
	West of Property	PF	Church

COMMENTS

Staff has not received any comments as of 8/11/2025.

LEGAL NOTICE

Surrounding Neighbor Notification Letters (200’): 7/31/2025
Published Legal Notice (Wimberley View): 7/31/2025

RECOMMENDATION

Staff defers to the Planning and Zoning Commission for their recommendation.

CRITERIA FOR CONSIDERATION

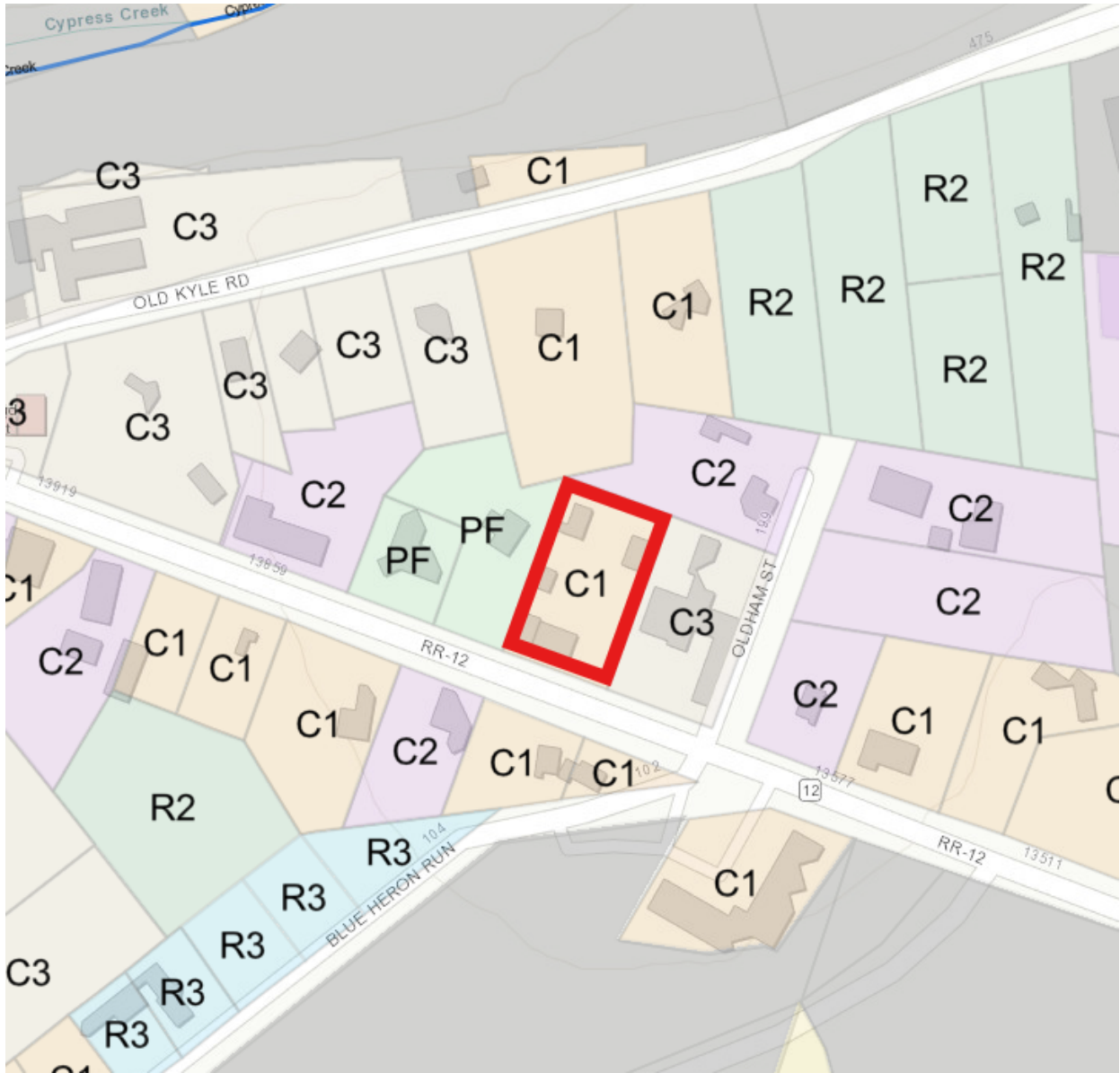
- (A) The use is harmonious and compatible with surrounding existing uses or proposed uses, and does not more adversely affect an adjoining site than would a permitted use;
- (B) The architecture, facade, and signage designs of the use are traditional Hill Country designs and are harmonious with those 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.

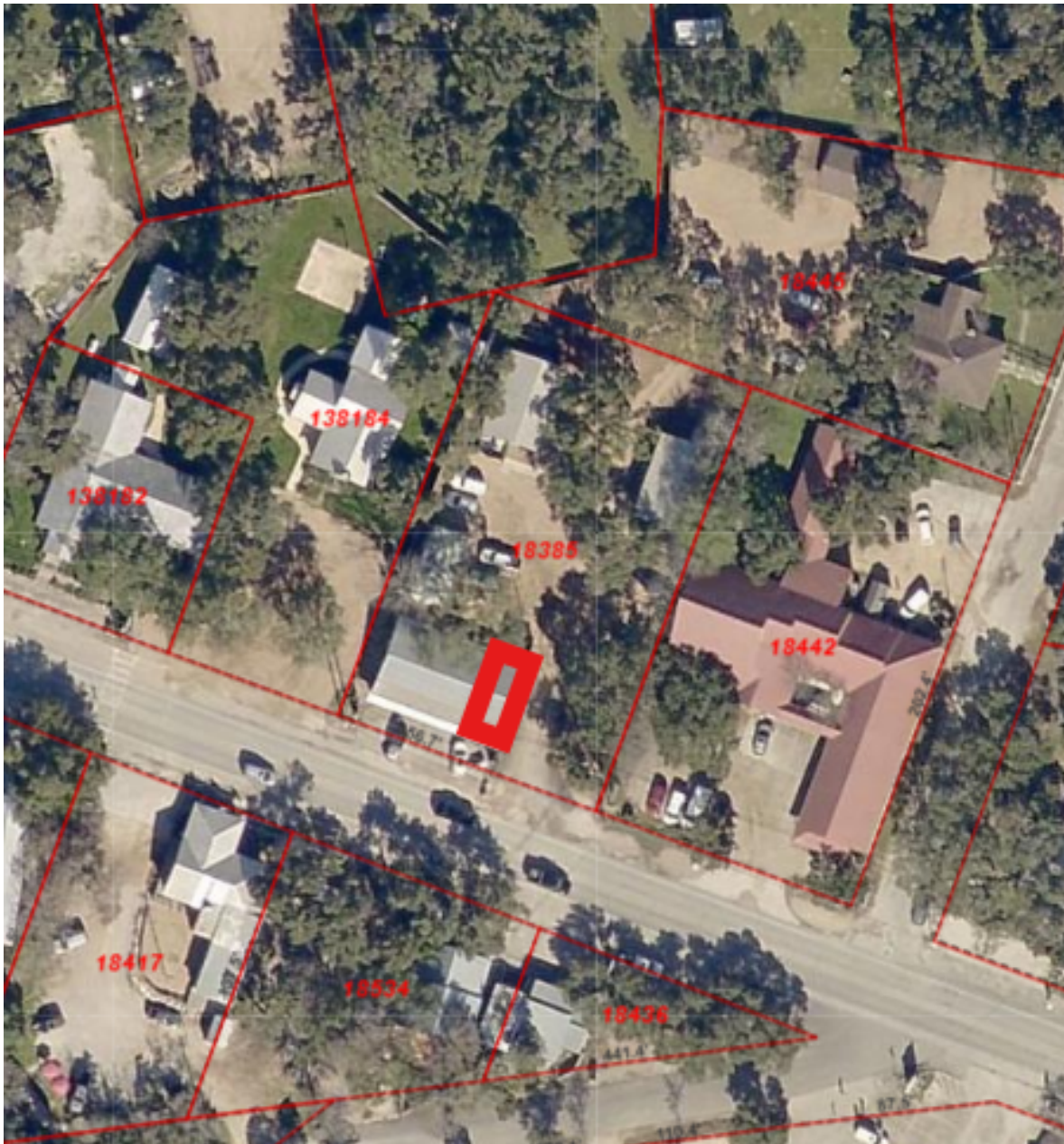
Possible Motions can include:

- 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:

Mailing Address: City: State: Zip:

Phone: Email:

OWNER'S INFORMATION

Property Owner:

Mailing Address: City: State: Zip:

Phone: Email:

PROJECT SITE ADDRESS:

Legal description:

Total Acreage or Square Footage: Deed recorded in:

Hays CAD Parcel ID R- Planning Area: Zoning:

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

SPECIFIC CONDITIONAL USE REQUEST:

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

UTILITIES

Electric Provider:

Water provider or Private Well:

Wastewater Service or Septic Permit No.:

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

CONDITIONAL USE PERMIT (CUP) SUBMITTAL CHECKLIST

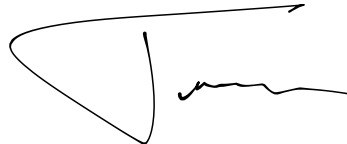
- Complete "Conditional Use Permit Application"
- Metes and bounds description and/or survey exhibit
- Site Plan drawn to scale and showing the general arrangement of the project, together with essential requirements such as off-street parking facilities; size height, construction materials, and locations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

MY REQUEST IS BASED ON THE FOLLOWING:

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

SUBMITTAL VERIFICATION

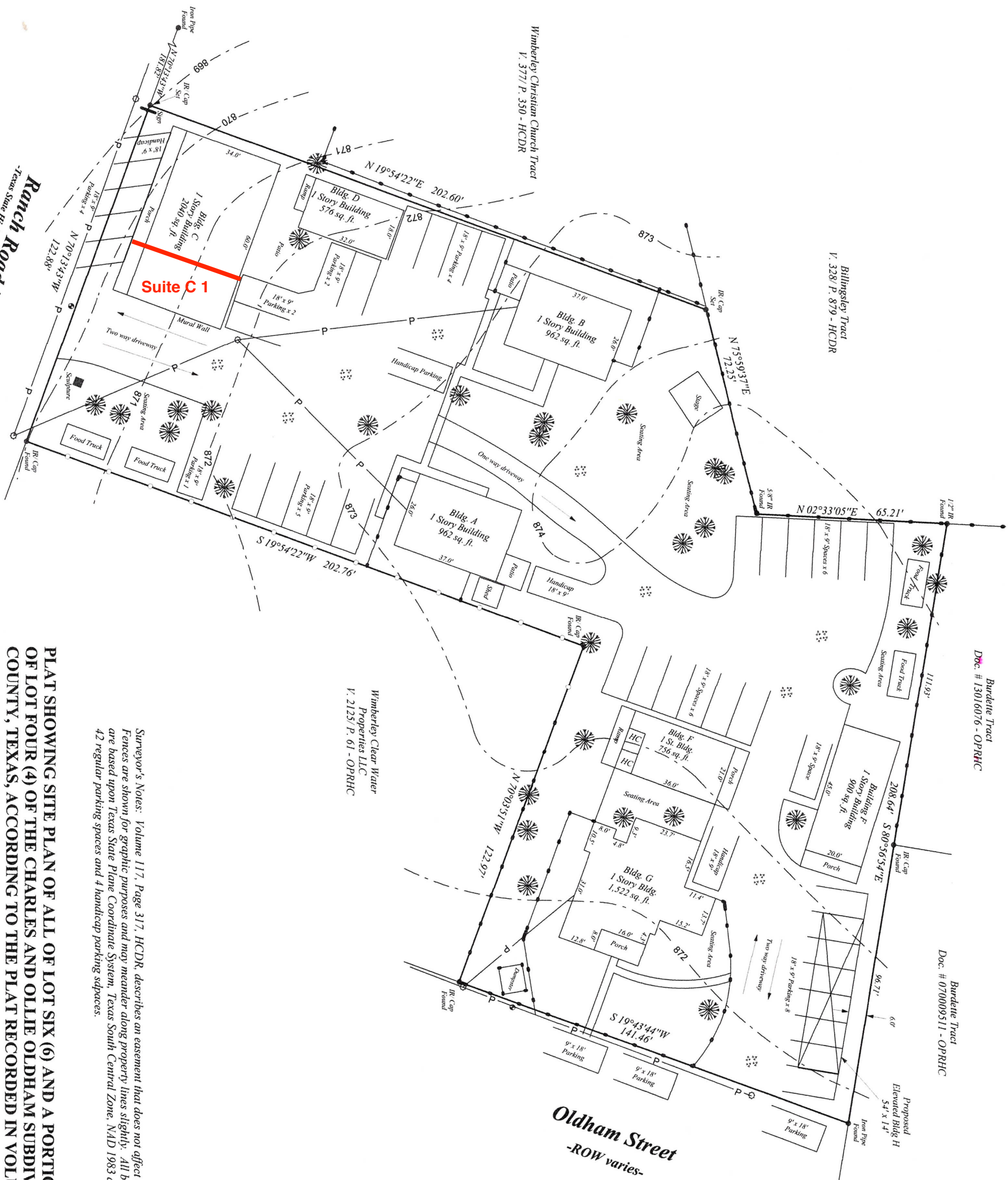
My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that City review of this Application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me, my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



Applicant's Signature: _____

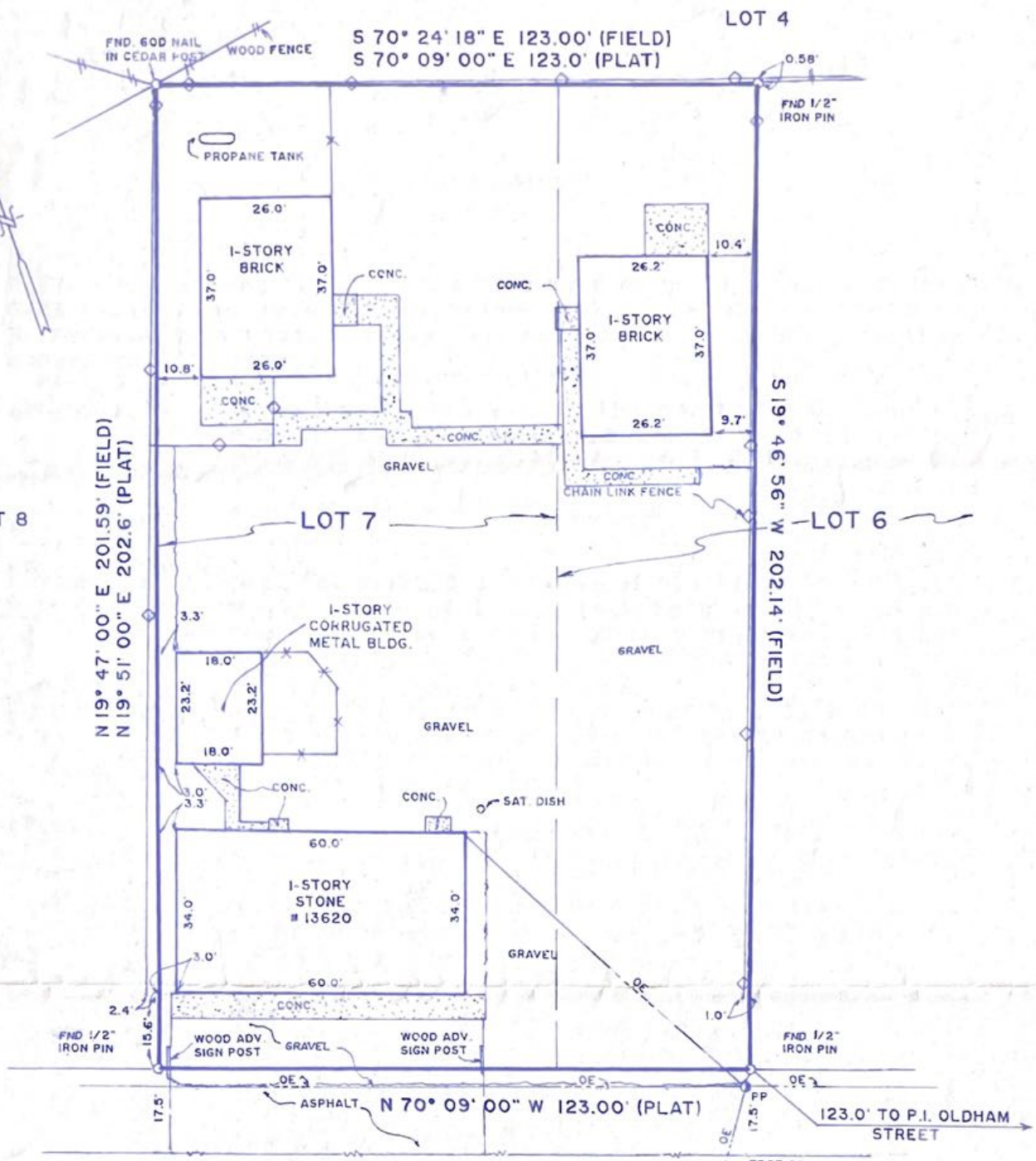
Date: 7/23/2025

Ranch Road # 12
 -Texas State Highway #801, ROW



Surveyor's Notes: Volume 117, Page 317, HC DR, describes an easement that does not affect either of this parcels. Fences are shown for graphic purposes and may meander along property lines slightly. All bearings and distances are based upon Texas State Plane Coordinate System, Texas South Central Zone, NAD 1983 datum. There are 42 regular parking spaces and 4 handicap parking spaces.

PLAT SHOWING SITE PLAN OF ALL OF LOT SIX (6) AND A PORTION OF LOT SEVEN (7), AND ALL OF LOT FOUR (4) OF THE CHARLES AND OLLIE OLDHAM SUBDIVISION, A SUBDIVISION IN HAYS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 142, PAGE 424, OF THE DEED RECORDS OF HAYS COUNTY.



POWERLINE ESM'T GRANTED TO TEXAS POWER & LIGHT COMPANY (VOL. 117, PG. 317)

R. R. # 12
60' R.O.W.

LOT 7 & WEST HALF LOT 6

SUBDIVISION CHARLES OLDHAM SUBDIVISION

ADDRESS 13620 R. R. # 12
CITY _____
COUNTY HAYS STATE TEXAS

REFERENCE			
VOL	142	PG	426
VOL	117	PG	317
VOL	_____	PG	_____
VOL	_____	PG	_____

Scale: 1" = 30'
G. F. No.: 96080071



PROFESSIONAL LAND SURVEYORS
12915 JONES MALTSBERGER SUITE 401
SAN ANTONIO, TEXAS 78247
(210) 490-9963



STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT THE ABOVE PLAT IS TRUE AND CORRECT ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS OF BUILDINGS ON ADJOINING PROPERTY AND THAT ALL BUILDINGS ARE WHOLLY LOCATED ON THIS PROPERTY EXCEPT AS SHOWN ABOVE.

THIS 18 DAY OF May 1998 A.D.

Joseph H. Cash

FLOOD INSURANCE STATEMENT:

This property is not situated within a special flood hazard area as identified by F.I.R.M. map no. 480321 0160 B

Effective Date: 6-16-93
Zone: X

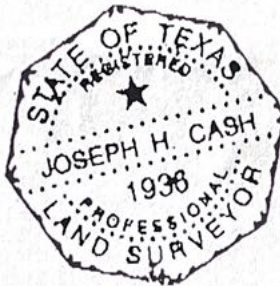
JOB NO. 96-1120

FIELD NOTES
FOR

0.570 Acres, Being Lot 7 and the West Half of Lot 6, Charles Oldham Subdivision, as recorded in Volume 142, Page 426 of the Deed Records of Hays County, Texas, and said 0.570 Acres being further described as follows:

- BEGINNING:** At a set $\frac{1}{2}$ " iron pin in the North R.O.W. Line of R.R. 12 for the Southeast Corner of this Tract, said point being N 70° 09' 00" W a distance of 123.00 feet from the intersection of the North R.O.W. Line of R.R. 12 and the West R.O.W. Line of Oldham Street;
- THENCE:** With the North R.O.W. Line of R.R. 12 N 70° 09' 00" W a distance of 123.00 feet to a set $\frac{1}{2}$ " iron pin for the Southwest Corner of this Tract and said Lot 7;
- THENCE:** Leaving the North R.O.W. Line of R.R. 12 N 19° 47' 00" E a distance of 201.59 feet to a found 60d nail in cedar post for the Northwest Corner of this Tract and said Lot 7;
- THENCE:** S 70° 24' 18" E a distance of 123.00 feet to a set $\frac{1}{2}$ " iron pin for the Northeast Corner of this Tract;
- THENCE:** S 19° 46' 56" W a distance of 202.14 feet to the POINT OF BEGINNING and containing 0.570 Acres.

Job No. 961120
August 29, 1996



Joseph H. Cash

STATE OF TEXAS
COUNTY OF HAYS
I hereby certify that this instrument was FILED on
this date and at the time stated herein by me and was duly
RECORDED in the Volume and Page of the named RECORDS
of Hays County, Texas, as stamped hereon by me.

EXHIBIT "A"

SEP 4 1996



Margaret S. Villalpando
COUNTY CLERK
HAYS COUNTY, TEXAS

Douglas E. Oldmixon
CEO & Managing Broker

3005 South Lamar Blvd
Suite D109 No 401
Austin, Texas 78704

phone: 512-444-3434
Lawyers Realty USA
deo@lawyersrealtyusa.com

July 24, 2025

City of Wimberley
RE: 13620 RR 12 Suite C 1
Wimberley, TX 78676

Via email delivery

RE: Permission from Owners of 13620 RR 12 in Wimberley Texas for John Messina to Apply for a CUP to Sell Alcoholic Beverages at Suite C 1

Since 2021, the office and retail complex at 13620 Ranch Road 12 in Wimberley is owned and operated by Old Rock Grove LLC, an entity controlled by Douglas Oldmixon and Jo-Dee Benson. The property is managed via Investment Realty Advisors LLC Group.

Doug is a native Texan, a retired USAF Lt Col with 27 years of service and 3 combat tours, and both he and Jo have lived in Austin since 1991. We have had family members in Wimberley since 1989. Doug's brothers Patrick and Michael each lived here, operated local businesses, and raised their families in this community.

We bought the adjacent property at 151 Oldham Street in 2019, upgraded it in 2020, and now we eagerly look forward to continuing to enhance the combined properties to benefit the tenant businesses and provide additional service and value to the Wimberley community. We recently added a mural on Bldg C to welcome folks to this great town.

John Messina and his business partner have successfully operated the FM Pizza food truck for many months at this location and now seek to expand into the adjacent brick and mortar Suite C 1 to further enhance their food and beverage offerings with other convenience retail items. They have our full support in this endeavor and our permission as owners to seek a CUP for this location at their expense. If there are any questions regarding this matter, my phone and email are shown above.

Thank you!

Sincerely,



Douglas E. Oldmixon, JD, GRI

CEO & Managing Broker, Lawyers Realty USA
DBA Investment Realty Advisors Group
Representing the Owners Old Rock Grove LLC

& Land Use	North of Property	R2	Residential
	South of Property	R2	Residential
	East of Property	R2	Residential
	West of Property	RA	Residential

COMMENTS

Staff has received emails in opposition to the request from Jenifer Reed, a neighbor within 200 feet of the subject property.

LEGAL NOTICE

Surrounding Neighbor Notification Letters (200'): 7/31/2025
Published Legal Notice (Wimberley View): 7/31/2025

RECOMMENDATION

Staff defers to the Planning and Zoning Commission for their recommendation.

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:

Mailin State: Zip:

Phone

OWNE

Property Owner:

Mailing Address: City: State: Zip:

Phone

PROJECT SITE ADDRESS:

Legal description:

Total Acreage or Square Footage: Deed recorded in:

Hays CAD Parcel ID R- Planning Area: Zoning:

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

SPECIFIC CONDITIONAL USE REQUEST:

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

UTILITIES

Electric Provider:

Water provider or Private Well:

Wastewater Service or Septic Permit No.

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

CONDITIONAL USE PERMIT (CUP) SUBMITTAL CHECKLIST

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

MY REQUEST 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.
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- The conditional use does not adversely affect an adjacent property by its resulting traffic through the location, or its lighting, or its type of sign; and
- That any additional conditions specified, if any, ensure that the intent and purposes of the base districts are being upheld.

SUBMITTAL VERIFICATION

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

Applicant's Signature: _____ **Date:** _____

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

OWNER: _____

LOCATION OF PROPERTY: _____

LEGAL DESCRIPTION: _____

PLANNING AREA: _____ PRESENT ZONING: _____

EXISTING USE: _____

HOMEOWNERS ASSOCIATION CONTACT INFO: _____

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

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

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

NUMBER OF BEDROOMS: _____ **PROPOSED MAXIMUM OCCUPANCY:** _____ guests.

Forms & Applications October 2021 3

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

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

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

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.

REVOCACTION: 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

Esteemed Wimberley City Council and Planning and Zoning Commission,

I humbly ask that you review this case with an open mind and heart and strongly consider approval of a Conditional Use Permit (CUP) for the R2 property at 275 Stoney Creek Meadows Drive.

I am not a corporate entity nor am I someone attempting to turn a profit from this residency.

I am a niece attempting to alleviate the burden of expense for her Aunt who now resides permanently at Deer Creek nursing home.

A brief history...

In 2023, several years after my Aunt's house on Leveritt's Loop burned down and she was left essentially squatting in a guest cabin facing a divorce, I helped her find and purchase 275 Stoney Creek Meadow Drive. The intention being a fresh start for her life and a second chance at happiness post a life altering and traumatic series of events.

Unfortunately my Aunt, Vicki Hines, would only enjoy a couple months in her new home before she landed in a medical emergency for which she has not been able to make a full recovery. She now permanently resides in Deer Creek with her care costing over \$5000 a month.

We have rented the home long-term, but the income generated has not been sufficient and she is rapidly depleting her reserves. Some have asked, "Why not sell the house?" This would get her a nice nest egg, but it would run out in just a few years. Additionally, the housing market is in a "downtown" and homes are sitting on the market for sale at lower values and for longer periods. The stock market is volatile and I am left struggling to help her to manage her assets in a manner that results in the best chance for her to afford her care at Deer Creek and not have to move to a cheaper facility in another town away from her remaining family and friends.

I have approached the subject with the neighbors and they remain wary due to a negative experience in the past with a neighbor who attempted short term rental. I am asking everyone reviewing and discussing this case to please not hold my family accountable for the mistakes of others. We are simply asking for a chance to try this out for my Aunt's sake.

Furthermore, I would like for this property to assist in road maintenance beyond that of a normal residency and repairs benefiting everyone on the street since this community has struggled with this issue. I have offered to take on efforts to form the trust and help run the meetings to get regular road maintenance and upkeep handled.

We do not intend to run a party house, have very strict rules planned, will install outdoor cameras, and will uphold a strong neighborly presence. We will do this right, and if it is not working we will listen and pivot.

Thank you for your time and consideration - Debra Hines

Notes on the property:

Above ground pool steps will remain locked in the shed while property is not occupied.

All exterior doors and gates have functioning locks.

There is a fire extinguisher under the sink, labeled for renters.

Safety information and rules will be readily posted.

Fire alarms exist in the hallway and bedrooms.

Current draft of rules:

- Limit to 6 overnight guests. Violators will forfeit the remaining of their stay without refund and may be subject to additional penalty. If you intend to have additional guests during the day you MUST notify us and provide a list of names and ages.
- No large parties or events. Maximum 15 people (including children) at any time may be on the property.
- This is a quiet neighborhood, please be respectful of neighbors.
- No smoking indoors. This area is often in a burn ban and outdoor smoking, grills or fires is often prohibited. Please review Hays County Fire Marshal rules for more information.
- No amplified noise at all; small personal speakers are permitted.
- Outdoor music must be turned off or LOW after 10pm. There is a sound ordinance and violators will receive one warning, and after that may be asked to leave the property without refund.
- Outside lights must be turned off when not in use. Please do NOT LEAVE LIGHTS ON OVERNIGHT. We are a Dark Sky Community and this helps preserve the visibility of the stars at night.
- No pets allowed.
- Please keep gates shut when not in use.
- NO parking in the street. ALL 4 tires must be off the gravel road.
- Guests may park in the grass parallel to the house. NO parking in the cul-de-sac or on others' property.
- Complaints by neighbors will be taken seriously and addressed immediately.
- ALL trash must be disposed of properly in the cans provided. Violations may result in additional charges.
- NO fireworks.
- NO minors allowed without adult supervision.
- POOL ladder must be removed and stored in the shed when you leave the property.
- ALL gates must remain locked when not in use and monitored.

To our guests,

This house is meant to be a quiet getaway, artist retreat, and for families wishing to explore the beauty of the Wimberley Valley. We ask that you honor that intention and care for the space and neighbors as if they are your own.

Thank you.

IMPROVEMENT SURVEY



1311
458
(0.48 Ac.)

POINT OF BEGINNING

Doc. #19046932
(0.47 Ac.)

railroad spike found

150' Radius (Cut-de-sac)

STONEY CREEK MEADOWS DR.

1192
333
(0.47 Ac.)

Doc. #21025963
0.4661 Acres

18 ft diameter above ground pool

(N 68°38'42"E 167.06')
(N 68°41'12"E 167.00')

(10' UE)
(15' UE)

concrete cover

wood utility building

covered deck
10.1'
17'

concrete drive/walkway

1-story wood house

(7.5' UE)

(30' UE)

65.2'

409
415

395
174

(50' Road Easement)
Doc. #21025963

edge of gravel

1192
333
(0.47 Ac.)

Doc #21024888
(4.13 Ac.)

Fencing over 4ft tall

N 12°10'01"W 123.06'
(N 12°11'00"W 123.06')
Details for bearing

(10' UE)
(7.5' UE)

(10' UE)

(S 68°43'55"W 167.04')
(S 68°40'54"W 167.04')

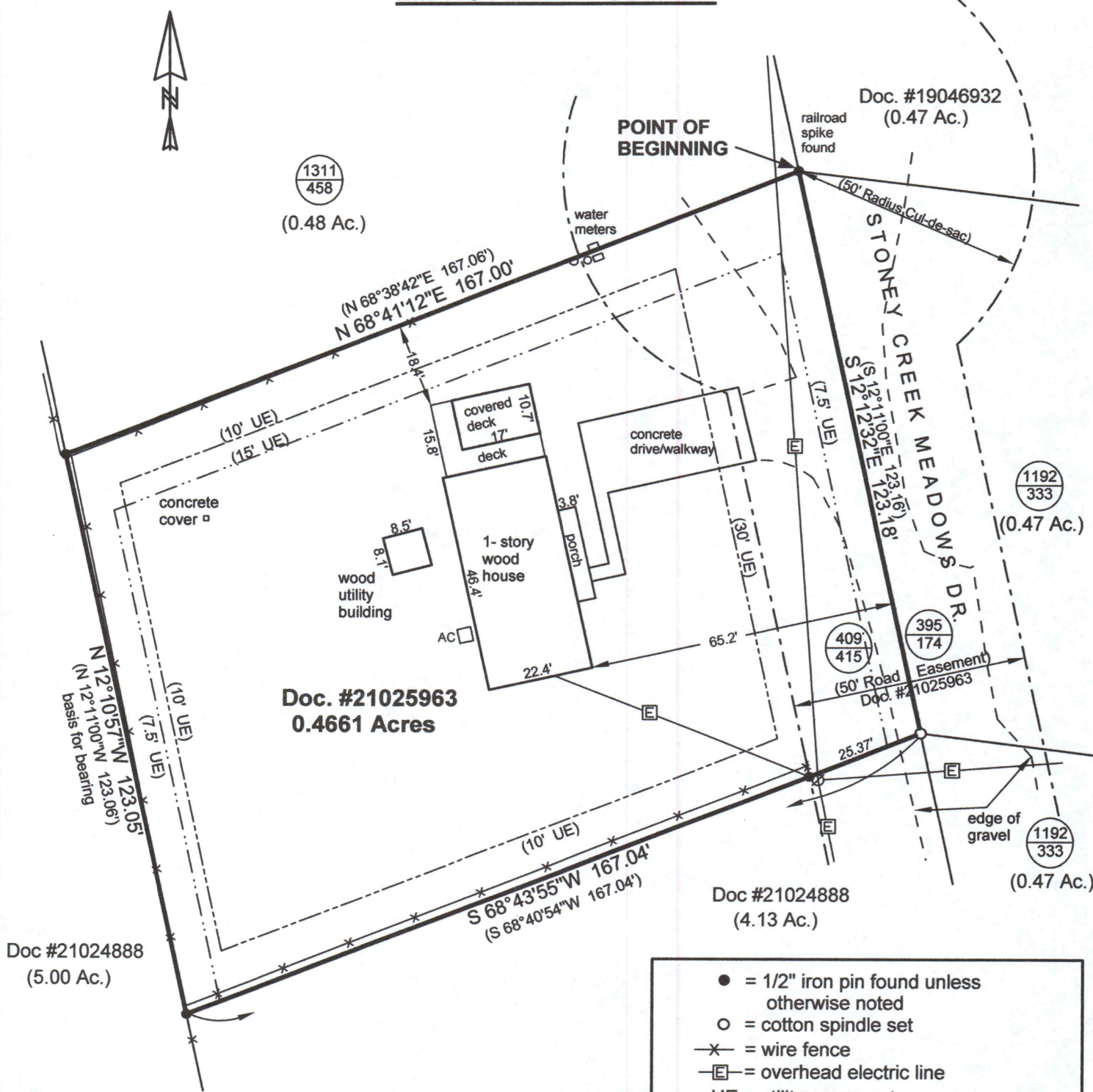
Doc #21024888
(5.00 Ac.)

Reference a 30' utility easement along the front and 10' utility easement along the side lot lines in favor of Pedemales Electric Cooperative, Inc., as recorded in Volume 389, Page 804, Hays County Deed Records.

Reference a 15' utility easement along the North lot line and a 7.5' utility easement along the East and West lot lines as recorded in Volume 409, Page 415, Hays County Deed Records.

- = 1/2" iron pin found unless otherwise noted
- = cotton spindle set
- x- = wire fence
- = overhead electric line
- UE = utility easement
- Vol / Page = Hays County Official Public Records
- (XXXX) = recorded data "calls"

IMPROVEMENT SURVEY



Reference a 30' utility easement along the front and 10' utility easement along the side lot lines in favor of Pedernales Electric Cooperative, Inc., as recorded in Volume 389, Page 804, Hays County Deed Records.

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- E— = overhead electric line
- UE = utility easement
- Vol Page = Hays County Official Public Records
- (XXXX) = recorded data "calls"

Copyright © 2022 Eagle Land Surveying. All rights reserved.

LEGAL DESCRIPTION: Being 0.4661 acres of land, more or less out of the L.C. GIBBS SURVEY, Hays County, Texas, being that same tract of land called 0.466 acres, as recorded in Document #21025963, Hays County Official Public Records, said 0.4661 acres being more particularly described by metes and bounds in the field notes attached hereto.

CLIENT: Dana Ross
ADDRESS: 275 Stoney Creek,
 Wimberley, Texas 78676

This survey was produced without the benefit of a current title report, therefore certain easements may exist that were not apparent on the ground and are not shown hereon.

I hereby certify that this plat represents a survey made upon the ground under my supervision, on March 1, 2022, and that there are no visible or apparent encroachments upon this property, except as shown hereon.

Clyde Barroso

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



STONEY ZAK

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

Scale:
 1" = 30'

Date:
 March 1, 2022

Job No. 22-012 eb





Page 28 of 46





AGENDA ITEM:	3. Hold a public hearing and consider possible action on a Certificate of Appropriateness for the demolition and reconstruction of a building located at 151 Old Kyle Road, Wimberley.
SUBMITTED BY:	Nathan Glaiser
DATE SUBMITTED:	08/07/2025
MEETING DATE:	August 14, 2025

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

The owner of 151 Old Kyle Road is requesting a certificate of appropriateness(COA) to demolish and reconstruct the existing contributing historical structure. This structure is in the Wimberley Historical Preservation District Overlay. Before issuance of a COA to demolish a structure, the P&Z must first establish a stay of demolition of between 60 and 120 days. That is what must be done at this meeting. After the stay period is concluded, another public hearing must be held and a demolition permit may then be granted.

REQUESTED ACTION

Motion
Discussion

FINANCIAL

NA

STAFF RECOMMENDATION

Staff recommends establishing a stay period of 60 to 120 days to allow for community efforts to save the structure and to follow proper procedure as outlined in the Historical Preservation Overlay District ordinance.

ATTACHMENT/S

1. COA-25-002 Supporting Documents



**CITY OF
WIMBERLEY**

Planning & Development Department
221 Stillwater, Wimberley, TX 78676
P (512) 847-0025
www.cityofwimberley.com

**APPLICATION FOR
CERTIFICATE OF APPROPRIATENESS**

Name of Applicant: Holden Hylander

Mailing Address: 1005 Ridge Oak Drive, Wimberley, Texas 78676

Phone Number: [REDACTED] **Email Address:** [REDACTED]

Name of Owner (if different than Applicant): Wimbo's Perfect Place, LLC

Mailing Address: N/A

Phone Number: N/A

Address of Property Where Structure/Site Located: 151 Old Kyle Road, Wimberley, Texas

Zoning Classification of Property: C3

Proposed Use of Property (reference Land Use Chart in Zoning Ordinance):
Eating Establishment, sit-down

Retail sales and services: general

Description of Proposed Work: Demolish existing 1-story wood framed building (910 SF);
Rebuild 1-story wood framed building (910 SF) on new slab on grade and add a new
640 SF Commercial Kitchen and (2) lease spaces, approximately 622 SF & 757 SF.

New construction will match location, style and scale of the existing building.

Description of How Proposed Work will be in Character with Architectural and/or Historical Aspect of Structure/Site and the Applicable Zoning Requirements:

All new construction on this project will aim to preserve the character and integrity of downtown Wimberley by applying the standards of the Wimberley Historic Preservation overlay district while utilizing new and appropriate code compliant construction methods.

Estimated Cost of Proposed Work: \$700,000.00

Intended Starting Date of Proposed Work: November 1, 2025

Intended Completion Date of Proposed Work: April 1, 2026

ATTACH THE FOLLOWING DOCUMENTS (in a form acceptable to the City):

- Current photograph of the property and adjacent properties (view from street/right-of-way)
- Concept Site Plan: A drawing of the overall conceptual layout of a proposed development, superimposed upon a topographic map or aerial photo which generally shows the anticipated plan of development
- Elevation drawings/sketches of the proposed changes to the structure/site
- Samples of materials to be used
- Color chips of the colors which will be used on the structure (if applicable)
- Sign Permit Application (if applicable)
- Building Permit Application (if applicable)
- Application for alternative exterior design standards and approach (if applicable)
- Supplemental Design Information (as applicable)

Signed by: 
Signature of Applicant

8/7/2025
Date

Signature of Property Owner Authorizing the Proposed Work **Date**

******TO BE FILLED OUT BY CITY STAFF******

Date Received: _____ Received By: _____

Project Eligible for Expedited Process: Yes No

Action Taken by Historic Preservation Officer: Approved Denied

Approved with the following Modifications: _____

Signature of Historic Preservation Officer

Date

Date Considered by Planning & Zoning Commission (if required): _____

Approved Denied

Approved with the following Modifications: _____

Planning & Zoning Commission Decision Appealed by Applicant: Yes No

Date Appeal Considered by City Council (if required): _____

Approved Denied

Approved with the following Modifications: _____

*Submit this application to City Hall at 221 Stillwater, Wimberley, Texas 78666.
Call City Hall at (512)847-0025 if you have questions regarding this application.*

Wimbo's Perfect Place
151 Old Kyle Road
Wimberley, Texas 78676

Current Building Conditions:



Wimbo's Perfect Place
151 Old Kyle Road
Wimberley, Texas 78676

Current Building Structural conditions:







Wimbo's Perfect Place

151 Old Kyle Road
Wimberley, Texas 78676

Adjacent Properties:

1. Lumberyard Office & Retail Center (Community Pizza & Beer Garden)



2. Danforth House (Airbnb)



3. Restaurant (Currently transitioning from Hildee's on the Square to new owner)



Wimbo's Perfect Place
151 Old Kyle Road
Wimberley, Texas 78676

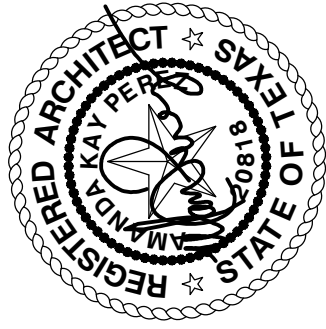
Proposed design:



Wimbo's Perfect Place
151 Old Kyle Road
Wimberley, Texas 78676

Before and After:

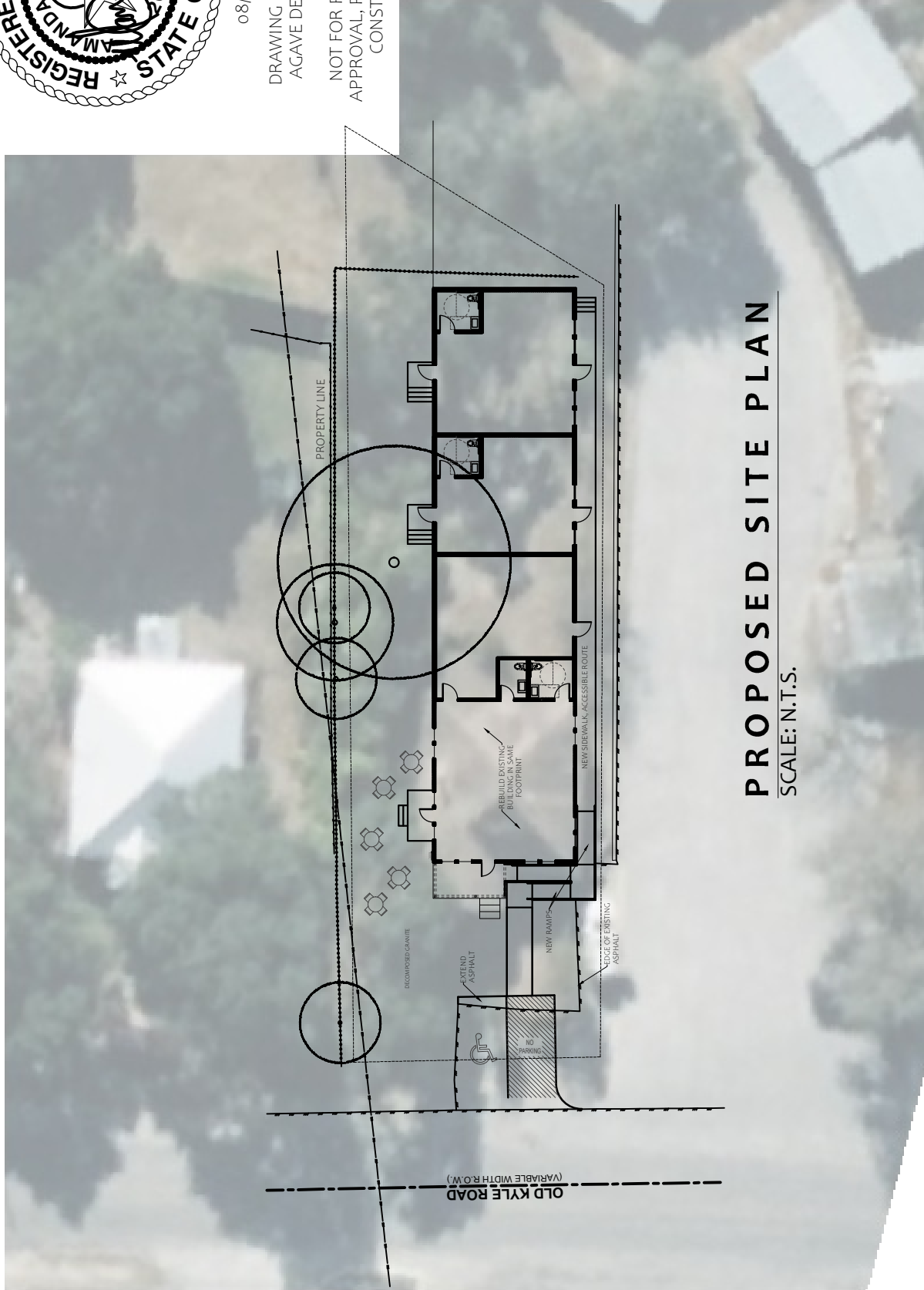
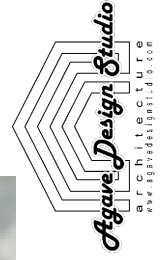




08/07/2025

DRAWING PREPARED BY
AGAVE DESIGN STUDIO

NOT FOR REGULATORY
APPROVAL, PERMITTING, OR
CONSTRUCTION.



PROPOSED SITE PLAN

SCALE: N.T.S.

Wimbo's Perfect Place

151 Old Kyle Road Wimberley, Tx 78676

Sec. 9.03.253 Planning and zoning commission

- (a) *Generally.* The planning and zoning commission shall function according to the following criteria which establish membership and operating procedures.
- (b) *Creation; membership; officers; rules and bylaws.*
 - (1) There is created, in accordance with V.T.C.A., Local Government Code, Ch. 211, the planning and zoning commission, hereafter sometimes referred to as the "commission," which shall consist of seven members who are either resident citizens of the city or are residents of the extraterritorial jurisdiction of the city, provided no more than two members shall reside in the extraterritorial jurisdiction of the city. In the event that a vacancy occurs on the commission that results in the majority of the commission members being residents that reside outside the city limits, then the commission will not meet or conduct business until such time as the vacancy can be filled by appointment of the city council so that a majority of the commission members are residents living within the city limits. For purposes of this section, the member that moved outside the city limits which caused the commission to lose its majority of members who reside within the city limits shall be deemed to have automatically resigned from membership of the commission. If the member's move outside the city limits does not result in a majority of members residing outside the city limits, then the member will continue to serve on the commission.
 - (2) Any member of the city council may nominate an eligible person to fill a vacant position on the commission. Each person so nominated must be approved by a simple majority vote of the council before becoming a member of the commission.
 - (3) Commissioners shall be nominated and appointed to a particular place on the commission, by the second meeting in June of each year, (such as planning and zoning commissioner, place No. 1) that correlates with the place on the city council responsible for their nomination (such as city council place 1). The mayor shall be responsible for nominating the mayor and consensus places on the commission. Beginning December 3, 2020, commissioners shall serve two-year staggered terms, which correspond with the city council member or mayor who appointed the commissioner. In the event that a commissioner is appointed to fill a vacancy, the remainder of the term for which the commissioner is appointed, unless the commissioner resigns or is removed prior to the expiration of the term. The members of the commission shall serve until their successors are appointed. Each commissioner shall be eligible for reappointment. Terms shall commence on July 1st.
 - (4) If a vacancy occurs on the commission, the city council may fill the unexpired term at the first regular meeting of city council following notification of vacancy.
 - (5) Removal of commission members. The city council may, by majority vote, remove a commission member for lack of confidence, incompetence, corruption, misconduct or malfeasance. The commission shall hold one regular meeting per month on the second Thursday of the month. The commission may hold special called meetings at any other time, when deemed necessary. Any commission member who misses three regular meetings or special called meetings, under the circumstances set forth in this article, within a 12-month time period shall be deemed to have automatically vacated his or her position on the commission. When any commission member has missed two regular meetings or special called meetings, under the circumstances set forth in this article, in a 12-month time period, the city administrator shall notify the subject commission member and city council, in writing, about the subject commission member's absences. For the purpose of this meeting attendance requirement, it shall be considered a missed meeting for any member who misses a special called meeting that was cancelled due to a lack of quorum because of the subject commission member's absence. In addition, it shall be considered a missed meeting for any commission member who leaves a meeting prior to the completion of all action items on the posted agenda for a meeting

for any other reason other than to avoid a potential conflict of interest. For the purpose of this policy, any commission member who automatically vacates his or her position on the commission may be considered for reappointment to the commission or appointment to another city board in the future by the city council.

- (6) Members of the commission shall regularly attend meetings and public hearings of the commission, and shall serve without compensation. Voluntary absences from three meetings of the commission in a calendar year will result in the automatic resignation of the commissioner. The chairperson may excuse an absence if the commissioner concerned seeks an excused absence. Once three unexcused absences are recorded, the chairperson will refer the commissioner in question to the city council to schedule the appointment of a replacement.
 - (7) From among its members the commission shall elect its officers, those being the chairperson, vice-chairperson, and parliamentarian. Officers shall be elected for terms of one year. The chairperson shall not hold the position for two consecutive terms. The commission, at their July meeting, shall select all the positions. New officers shall begin serving during the meeting following their selection and they shall serve until the next election of officers.
 - (8) The chairperson shall preside over all meetings of the commission and may vote. The vice-chairperson shall preside in the absence of the chairperson, and the parliamentarian shall preside in the absence of both the chairperson and vice-chairperson. In the absence of the parliamentarian, a parliamentarian pro tem shall be appointed by the chairperson or vice-chairperson as appropriate.
 - (9) The commission may appoint consultants, citizen committees, and council [counsel] to assist in the work of the commission on the approval of the person(s) and a duly passed motion of the commission. These groups have standing without vote as advisors in commission meetings. The entire work product of a consultant, committee, or council relating to an agenda item may become part of the records of the commission, at the discretion of the chairperson.
 - (10) The commission shall take no final action on any matter before it without first obtaining reports from the city departments concerned.
 - (11) Releases and statements to the public and press in the name of the commission shall be made only by the chairperson or the chairperson's designated representative. The chairperson shall sign all written recommendations of the commission.
- (c) *Parliamentary procedure; quorum; voting.* The commission will follow the parliamentary procedure adopted by the city council for all boards and commissions, and procedures shall not be in conflict with the laws applicable to the commission on [or] the following:
- (1) *Quorum.* A quorum shall consist of five members of the commission. Motions shall carry with a simple majority vote; however, in no case shall less than four votes in favor of a motion constitute a majority;
 - (2) *Voting on motions.* Voting on zoning applications shall be by rotating roll-call vote with the chairperson always voting last. Voting on all other questions may be by voice, provided that a roll-call vote shall be taken upon demand of the public or any commissioner;
 - (3) *Reconsideration of decisions.* Reconsideration of a finding of the commission shall be granted by the chairperson when any interested party for the reconsideration demonstrates to the chairperson that essential facts were not brought to the attention of the commission;
 - (4) *Conflict of interest.* A member shall not vote or participate in any deliberations regarding a matter before the commission if the member has any personal interest in or any property within 200 feet of the property in question, whether that interest is direct, indirect, financial, or otherwise. In any case, where the question of a member's interest is raised, the chairperson shall rule on whether the member should be disqualified; and

-
- (5) *Use of Robert's Rules.* Any question of order of procedure not covered herein shall be decided according to the latest edition of Robert's Rules of Order, insofar as that may be applicable.
- (d) *Meetings; public record.*
- (1) *Time and place; notice.* Regular meetings shall be held in the city hall, except as otherwise provided herein, when called by the chairperson. There shall, however, be at least one meeting each quarter. The chairperson may call special meeting times and locations, provided that written notice thereof is sent to each member 72 hours prior to the time of the meeting. All meetings shall be posted for public review at least 72 hours prior to the meeting date. No approval, disposal, or final action shall be taken on any zoning application unless all notice requirements mandated by state statute, these rules and procedures, or any other ordinance pertaining to the application or notice requirements have been met.
 - (2) *Open and closed meeting; minutes.* Meetings shall be open to the public, and minutes shall be kept and shall be treated as public record. Closed meetings (such as executive sessions) shall be permitted as authorized by law. The city secretary or his or her designee shall keep minutes and records of all proceedings of the commission. These records shall be secured at the City Hall as a matter of public record.
 - (3) *Public comment.* A public forum will be a regular part of each meeting agenda for remarks unrelated to other agenda items. Public comment will be heard on each agenda item. Each comment shall be limited to three minutes unless questions by the commission are in order. Public comment requiring more than three minutes must be placed on the agenda in a timely manner at the request of a commissioner or city council member. This provision may be waived in regard to work sessions at the discretion of the commission.
- (e) *Establishing extraterritorial jurisdiction.*
- (1) Statutes of the state authorizing and empowering cities to regulate the platting and recording of subdivisions or additions within the corporate limits and establishing extraterritorial jurisdiction are hereby adopted, and the commission, acting through its duly authorized officials, shall have all the rights, powers, privileges, and authority authorized and granted by and through the statutes pertaining to regulation of subdivisions and extraterritorial powers.
 - (2) Subject to restrictions imposed by the city council, the commission shall have all the rights, powers, privileges, and authority authorized and granted by and through the statutes of the state authorizing and granting cities the power of zoning as found in V.T.C.A., Local Government Code, Ch. 211, as amended.
- (f) *Powers and duties.*
- (1) In general, the planning and zoning commission shall be an advisory body and adjunct to the city council, and shall make recommendations regarding amendments to the comprehensive plan, changes of zoning, and zoning to be given to newly annexed areas, and shall make recommendations regarding the approval of plats of subdivisions as may be submitted to it for review and other planning related matters. The commission shall conduct an annual review of the city's comprehensive plan and shall be prepared to make recommendations to the city council as deemed necessary to keep the city's comprehensive plan current with changing conditions and trends and with the planning needs of the city. The commission shall serve in an advisory capacity on any planning related item(s) in the city, including the city's capital improvements program, annexation plan, and the expansion or extension of city infrastructure such as roadways, utility services, and public facilities. The commission shall also make recommendations to the city council regarding historical and architectural standards.
 - (2) The commission shall perform those other duties as may be assigned by the city council by ordinance or resolution.

-
- (3) Review and act on the designation of landmarks and the delineation of districts, subject to approval by the city council. Monitor and report to the Texas Historical Commission all actions affecting any recorded Texas historic landmark, state archaeological landmark, National Register property and any locally designated landmark, as deemed necessary. Review and take action on all certificates of appropriateness applications for compliance with adopted design guidelines pursuant to this division. Review and take action on all appeals on action taken regarding the administrative review of certificates of appropriateness applications for compliance with adopted design guidelines pursuant to this division. Develop, prepare and adopt specific design guidelines which shall be ratified by the city council, for use in the review of all certificates of appropriateness applications. Recommend to city council the acquisition of endangered landmarks by demolition where its preservation is essential to the purpose of this article and where private preservation is not feasible. Provide comment to the Texas Historical Commission on any federal undertakings (projects utilizing federal funds or requiring a federal permit) pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended.

- (g) *Procedure on zoning hearings.* The procedure and process for zoning changes and amendments shall be in accordance with section 9.03.255 of this Code.

(Ordinance 2001-010, § 9, adopted 4/1/01; Ordinance 2003-007, adopted 8/21/03; 2006 Code, § 155.107; Ordinance 2006-018, adopted 2/15/07; Ordinance 2007-008, §§ 17—19, adopted 4/5/07; Ordinance 2007-030, adopted 10/18/07; Ordinance 2009-007, adopted 3/5/09; Ordinance 2010-024, adopted 8/5/10; Ordinance 2011-002, § II(A), adopted 1/6/11; Ordinance 2011-029, § II(A), adopted 10/20/11; Ordinance 2014-012, adopted 5/15/14; Ordinance 2016-025, adopted 7/21/16; Ordinance 2020-30, adopted 12/3/20; Ordinance 2022-12, adopted 6/16/22; Ordinance 2023-11, § 2, adopted 6/1/23)

State law reference(s)—Zoning commission, V.T.C.A., Local Government Code, § 211.007.