

City of Wimberley

221 Stillwater, P.O. Box 2027, Wimberley, Texas, 78676

REGULAR PLANNING & ZONING MEETING
WIMBERLEY CITY HALL-CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS

JUNE 10, 2010 - 6:30 P.M.

AGENDA

CALL TO ORDER: JUNE 10, 2010 @ 6:30 P.M.

CALL OF ROLL: CITY SECRETARY

CITIZENS COMMUNICATIONS:

THE PLANNING & ZONING COMMISSION WELCOMES COMMENTS FROM CITIZENS ON ISSUES AND ITEMS OF CONCERN, NOT ON THIS AGENDA. THOSE WISHING TO SPEAK MUST SIGN IN BEFORE THE MEETING BEGINS AND OBSERVE A THREE-MINUTE TIME LIMIT WHEN ADDRESSING THE COMMISSION. SPEAKERS WILL HAVE ONE OPPORTUNITY TO SPEAK DURING THE TIME PERIOD. SPEAKERS DESIRING TO SPEAK ON AN AGENDA ITEM WILL BE ALLOWED TO SPEAK WHEN THE AGENDA ITEM IS CALLED. INQUIRIES ABOUT MATTERS NOT LISTED ON THE AGENDA WILL EITHER BE DIRECTED TO STAFF OR PLACED ON A FUTURE AGENDA FOR COMMISSION CONSIDERATION.

1. CONSENT AGENDA

THE FOLLOWING ITEMS MAY BE ACTED UPON IN ONE MOTION. NO SEPARATE DISCUSSION OR ACTION IS NECESSARY UNLESS REQUESTED BY A COMMISSION MEMBER OR CITIZEN, IN WHICH EVENT THOSE ITEMS WILL BE PULLED FROM THE CONSENT AGENDA FOR SEPARATE CONSIDERATION.

APPROVAL OF MINUTES OF THE REGULAR PLANNING & ZONING COMMISSION MEETING ON MAY 27, 2010.

2. PUBLIC HEARING AND POSSIBLE ACTION

HOLD A PUBLIC HEARING AND CONSIDER MAKING A RECOMMENDATION TO CITY COUNCIL REGARDING CASE# ZA-10-002, AN APPLICATION TO CHANGE THE ZONING FROM NEIGHBORHOOD SERVICES (NS) TO PUBLIC FACILITIES (PF) AND REMOVE AN EXISTING CONDITIONAL USE PERMIT FOR A 1.5 ACRE TRACT OF LAND LOCATED AT 45 LA BUENA VISTA, WIMBERLEY, HAYS COUNTY, TEXAS. *(RENEE BOSCHERT, APPLICANT; CONSIDERATION OF THIS ITEM WAS CONTINUED FROM THE MAY 27, 2010 MEETING OF THE PLANNING AND ZONING COMMISSION)*

3. DISCUSSION AND ACTION

DISCUSS AND CONSIDER THE POSSIBLE DEVELOPMENT OF A LODGING-RETREAT (L-3) ZONING DISTRICT AND ACCOMPANYING DEFINITIONS AND DEVELOPMENT STANDARDS. *(CITY ADMINISTRATOR)*

4. STAFF AND COMMISSION REPORTS

- ANNOUNCEMENTS
- FUTURE AGENDA ITEMS

ADJOURNMENT

THE COMMISSION MAY RETIRE TO EXECUTIVE SESSION ANY TIME BETWEEN THE MEETING'S OPENING AND ADJOURNMENT FOR THE PURPOSE OF DISCUSSION ABOUT HOMELAND SECURITY PURSUANT TO CHAPTER 418.183 OF THE TEXAS LOCAL GOVERNMENT CODE; CONSULTATION WITH LEGAL COUNSEL PURSUANT TO CHAPTER 551.071 OF THE TEXAS GOVERNMENT CODE; DISCUSSION ABOUT REAL ESTATE ACQUISITION PURSUANT TO CHAPTER 551.072 OF THE TEXAS GOVERNMENT CODE; DISCUSSION OF PERSONNEL MATTERS PURSUANT TO CHAPTER 551.074 OF THE TEXAS GOVERNMENT CODE; DELIBERATIONS ABOUT GIFTS AND DONATIONS PURSUANT TO CHAPTER 551.076 OF THE TEXAS LOCAL GOVERNMENT CODE; DISCUSSION OF ECONOMIC DEVELOPMENT PURSUANT TO CHAPTER 551.087. ACTION, IF ANY, WILL BE TAKEN IN OPEN SESSION.

CERTIFICATION

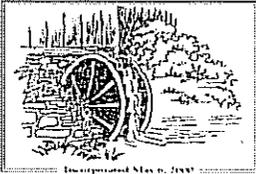
I hereby certify the above Notice of Meeting was posted on the Bulletin Board at the Wimberley City Hall on June 7, 2010 at 5:00 p.m.



CARA MC PARTLAND, CITY SECRETARY

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 Don Ferguson, City Administrator, at (512) 847-0025 for information. Hearing-impaired or speech-disabled persons equipped with telecommunication devices for the deaf may call (512) 272-9116 or may utilize the stateside Relay Texas Program at 1-800-735-2988.

P & Z Agenda Form



Date Submitted: June 7, 2010

Agenda Date Requested: June 10, 2010

Project/Proposal Title: APPROVAL OF MINUTES
OF THE REGULAR PLANNING & ZONING
COMMISSION MEETING ON MAY 27, 2010

Funds Required:
Funds Available:

Commission Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

Attached are the minutes of the regular Planning & Zoning Commission meeting on May 27, 2010 for review and consideration.

City of Wimberley
City Hall, 221 Stillwater
Wimberley, Texas 78676
Planning & Zoning Commission
Minutes of Regular Meeting
May 27, 2010 at 6:35 p.m.

Meeting called to order by Acting Chair Jean Ross. Present were Commissioners Lila McCall, Paul Xiques, David Glenn, and Phil Dane. Chairman Tracey Dean and Commissioner Mike Jones had excused absences.

Staff Present: City Administrator Don Ferguson, City Secretary Cara McPartland, and City Planning Technician Sandy Irvin.

Citizen Communications:

No citizen comments were heard.

1. Consent Agenda

Approval of minutes of the regular Planning & Zoning Commission meeting on May 13, 2010.

Commissioner Xiques moved to approve the minutes as presented. Commissioner McCall seconded. Motion carried on a vote of 4-0. Commissioner Glenn abstained.

2. Public Hearing and Possible Action

- A. Hold a public hearing and consider making a recommendation to City Council regarding Case #CUP-10-007, an application for a conditional use permit to allow for the operation of a bed and breakfast on a 10.93 acre tract of land which is zoned Residential Acreage (RA) and is located at 228 Flite Acres Road, Wimberley, Hays County, Texas. (*Paul and Marilyn Wright, Applicants*)

City Planning Tech Irvin reviewed the conditional use permit (CUP) application, including subject property location, acreage, current/proposed zoning/uses, notification, and compatibility with surrounding uses. A recent attempt to transfer ownership of the subject property revealed that a bed and breakfast was in operation without a required CUP; therefore, this request is to bring the property into compliance. She stated that staff received no opposition from surrounding property owners and recommended approval. City Administrator Ferguson noted that standard CUP bed and breakfast conditions will be adhered to, including those related to water access.

Acting Chair Ross opened the public hearing.

Applicant Paul Wright expressed his appreciation for favorable consideration and City Administrator Ferguson stated that when the applicant became aware of the property's non-compliant status, he immediately sought to bring his property into compliance.

Notified property owner Debra Spears spoke in support of the CUP request and stated that she has no problems with the subject property operating as a bed and breakfast.

Acting Chair Ross closed the public hearing.

Commissioner Glenn moved to recommend approval of the item as presented, which includes standard conditions for bed and breakfast operations. Commissioner McCall seconded. Motion carried on a vote of 5-0.

- B. Hold a public hearing and consider making a recommendation to City Council regarding Case #ZA-10-002, an application to change the zoning from Neighborhood Services (NS) to Public Facilities (PF) and remove an existing conditional use permit for a 1.5 acre tract of land located at 45 La Buena Vista, Wimberley, Hays County, Texas. (*Renee Boschert, Applicant*)

City Administrator Ferguson recommended continuance of this case until the Commission's June 10, 2010 meeting in accordance with the applicant's written request to allow additional time to handle administrative matters related to the proposed charter school.

Commissioner Dane moved to continue this item until the Commission's meeting on June 10, 2010. Commissioner Glenn seconded. Motion carried on a vote of 5-0.

- C. Hold a public hearing and consider making a recommendation to City Council regarding Case #C212-10-003, a subdivision application for an Amending Plat which realigns the common boundary lines of Lots 130, 154, and 155 in the Campfire 2 Section 3 Subdivision to create Lots 130A and 155A, along with requested variances from Section 154.063(C) pertaining to lot shape, Section 154.063(D)(4) pertaining to lot frontage and Section 154.063(E) pertaining to lot size of the Code of Ordinances of the City of Wimberley, Texas. (*John Doucet, Applicant*)

City Administrator Ferguson reviewed the application to realign the common boundary lines of Lots 130, 154, and 155, which are located in the City's extra territorial jurisdiction. The realignment will create two (2) larger tracts to be known as Lots 130A and 155A, with each lot served by existing on-site sewage

facilities (OSSF) and Cedar Oaks Mesa Water Supply Corporation. No changes in use or increases in traffic generation, utility demand, or offsite storm water are anticipated. City Administrator Ferguson displayed the Amending Plat and provided reasoning for three (3) requested variances. Based on the unique nature of the subdivision and the resulting decrease in density, City staff recommended approval of the subdivision along with the double frontage/lot size variances and the lot size variance contingent on Hays County approval.

Acting Chair Ross opened the public hearing.

Applicant John Doucet provided history on the subject property, including information on two (2) existing structures.

Discussion addressed water supplies, access, and procedural questions relating to variances in general. In response to Commissioner Glenn, City Administrator Ferguson explained differences between variances to the City's Zoning Code granted by the Board of Adjustment versus variances to the Subdivision Code recommended for approval by the Planning and Zoning Commission and approved by City Council.

Commissioner Xiques moved to recommend approval of the item as presented, including the requested variances (contingent on Hays County approval) from:

- Section 154.063(D)(4) requiring that residential lots not have frontage on two (2) non-intersection local or collector streets
- Section 154.063(C) requiring that lots be rectangular in size and conform to the average depth to average width ratio
- Section 154.063(E) requiring lots served by on-site sewage facilities (OSSF) to be one acre or larger

Commissioner McCall seconded. Motion carried on a vote of 5-0.

3. Discussion and Action

Discuss and consider the possible development of a Lodging – Retreat (L-3) zoning district and accompanying definitions and development standards. *(City Administrator)*

City Administrator Ferguson reviewed past discussions and provided the Commission with a summary of the revised draft copies of the proposed L-3 zoning district *(attached to these minutes)*.

Discussion addressed:

- Replacement of "Resort" with "Retreat" in title of §155.055 Lodging 3; L-3 *Retreat*

- Specific wording of L-3 definition
- Permitted uses to include lodges, detached cabins/cottages, and accessory uses to main use
- Conditional use(s) to include sit-down eating establishments with the sale of beer, wine, and alcohol for on-premise consumption
- Required facilities such as electricity/sanitation/bathroom, with adequate running hot water to accommodate guests
- Agreement to exclude outdoor camping as a permitted use
- Specific development regulations including minimum lot size of ten (10) acres; ten (10) maximum guest bedrooms (all forms) per individual acre; two-hundred (200) maximum guest bedrooms (all forms); specific maximum building heights for primary/accessory buildings; four-hundred (400) square feet minimum floor area per cabin/cottage; two-thousand five-hundred (2,500) square feet of minimum floor area per lodge; maximum building footprint of fifteen-thousand (15,000) square feet (with *"per lodge" reference deleted*)
- Minimum required setbacks to remain the same as in current draft language
- Maximum floor area of the lodging/service building to remain at thirty-thousand (30,000) square feet (for a two-story building)
- Maximum impervious cover to remain at twenty-five percent (25%), with limits increased by up to five percent (5%) for implementation of certain water conservation measures
- Deletion of reference to maximum building footprint in §155.055(E)(12) as redundant to §155.055(E)(6) and minor changes in order of items
- Special requirements, including extensive discussion of recreational vehicles (RVs), with agreement reached to allow no more than ten (10) total RVs per lot (1 RV = 2 guest bedrooms)
- Combination of RVs and cabins/cottages not to exceed the maximum of ten (10) guest bedrooms (all forms) per individual acre
- Differences between L-2 and L-3 zoning districts relative to RVs
- Advantages/disadvantages of mandating RV hook-ups for utilities, including discussion of public safety, density, and length of stay issues
- Other regulations, such as mandatory underground utilities (including those for RV hook-ups) and screening of trash collection containers
- Architectural design standards consistent with Comprehensive Plan language relating to "traditional Hill Country style" that is compatible with the nature of the area
- Extensive discussion of vegetative screening buffers, with agreement on less specific language in §155.055(G)(4), with the last sentence revised to read *"Any buffer may be included as part of the required setbacks."*
- Possible larger setbacks for waterfront properties, with agreement reached to leave setbacks as specified in draft language
- Buffering as a means to discourage clear-cutting of properties and need for balancing property rights of all parties

- Protected Water Overlay District (PWOD) limitations on development along the Blanco River and/or Cypress Creek and effect of Federal Emergency Management Agency (FEMA) floodway/floodplain regulations
- Parking regulations as required by City Code §155.075 for off-street parking and loading to remain as drafted
- Instruction to staff to check on standard definitions of "lodge" and "cabin/cottage" in accordance with certain hotel/motel association(s)
- Definition changes as indicated in italics: "*Cabin/Cottage* – An establishment, at least 400 square feet in size, containing bedrooms along with bathing facilities with running hot water and restroom facilities adequate to accommodate the guests resident in the *cabin/cottage*."
- In response to Commissioner Glenn, clarification was provided on the variance procedures available to applicants under the review/authority of either the Planning and Zoning Commission or the Board of Adjustment
- Possible subdivision of proposed L-3 properties into smaller tracts, thus meeting less restrictive L-2 requirements, particularly as related to impervious cover

Commissioner Dane expressed concerns over unintended consequences of creation of an L-3 district (as opposed to requiring a WPDD) and its original intent to match L-3 zoning requirements to existing large-acre lodging facilities in order to complete City-initiated zoning. He felt that the original consensus was to fit regulations to existing lodging facilities, not to create a zoning district for uses that are not currently allowed. Commissioner Dane asked to look at the "worst case scenario" before making a recommendation to Council on the finalized draft version. Acting Chair Ross stated that she can convey Commissioner Dane's concerns to Council (or that he may do so in person) and noted that what has been proposed for L-3 is more restrictive than what is currently allowed in an L-2 zoning district.

It was agreed to further review and discuss revisions made to the draft ordinance at the Commission's next regular meeting, before making a recommendation to City Council.

4. Staff and Commission Reports

- Announcements
- Future Agenda Items

Hearing no further announcements or future agenda items, Commissioner Dane moved to adjourn. Commissioner Glenn seconded. Motion carried on a vote of 5-0.

Adjourn at 8:21 p.m.

Recorded by:

Cara McPartland

These minutes approved the ____ of June, 2010.

APPROVED:

Jean Ross, Acting Chair

DRAFT

§ 155.055 LODGING 3; L-3 RETREAT.

(A) *General purpose and description.* The L-3 Retreat district is intended to accommodate the needs and desires of visitors, tourists and transient guests. It applies to specific areas where public roads and public utilities are available or where suitable alternate private facilities are assured. It is the intent of the district to provide for tourist resort development, excluding hotels and motels, in the form of cottages, cabins, and lodges available for short term rental and accessory uses to serve visitors to such facilities.

Deleted: Resort

Definition: Several rooms with a larger meeting area, restrooms showers in one contained place quest

(B) *Permitted uses.*

- (1) Lodges;
- (2) Detached cabins or cottages
- (3) Accessory uses to the main use including but not limited to retail sales and service, restaurant and recreation facilities ; and
- (4) Single family residential
- (5) Religious assembly.

Deleted: maximum of 30 guest bedrooms per lodge;¶
- (2)

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(C) *Conditional uses.*

- (A) Sit down eating establishments with the sale of beer, wine and alcohol for on-premise consumption.
- (B) Telecommunications towers, commercial antennas, and broadcast towers, subject to all applicable city regulations.

Deleted: .

(D) *Required facilities.*

All lodges, cabins and cottages units shall have electricity and sanitary facilities to include bathing facilities with running hot water and restroom facilities adequate to accommodate the guests residing in the lodge, cabin and cottage.

(E) *Development regulations.*

- (1) Minimum lot size: 10 acres.
- (2) Maximum guest bedrooms (all forms) per individual acre: 10
- (3) Maximum guest bedrooms (all forms): 200
- (4) Maximum building height (as defined in § 155.005):
 - (a) Primary buildings: not more than 2 stories and not more than 28 feet with flat roof (see definition) or 35 feet with pitched roof;
 - (b) Accessory buildings: not more than 18 feet and not more than 1 story; and
- (5) Minimum floor area per cottage or cabin: (400 square feet)
- (6) Maximum building footprint per lodge: 15,000 square feet
- (7) Minimum floor area per a lodge: (2500 square feet)

Deleted: (2) Maximum guest beds per lodge: 30¶
(3) Maximum guest beds per cottage and cabin: 4¶

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(8) For minimum required setbacks, no construction, including buildings, parking areas, and driveways, except entry driveways, and no placement or display of commercial material and equipment shall be allowed in the setbacks.

- (a) Dominant street: 50 feet;
- (b) Secondary street: 30 feet;
- (c) Interior side yard: 20 feet, 30 feet when adjacent to a residential district, 50 feet if the building is more than 1 story; and
- (d) Rear yard: 50 feet, 75 feet when adjacent to a residential district, 100 feet if the building is more than 1 story.

____(9) Maximum floor area of the lodging/service building: 30,000 square feet.

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(10) Maximum impervious coverage: 25%. Impervious coverage shall be calculated as a percentage of the net site area. The maximum impervious cover limits may be increased up to five (5) percentage points if roof runoff from structures on site is isolated, treated and used for irrigation.

(11) Maximum building coverage: 20%. Building coverage shall be calculated as a percentage of the net site area.

____(12) Maximum building footprint: 15,000 square feet.

(F) *Special requirements.*

- (1) Open storage is prohibited.
- (2) For site plan and development standards requirements, see § 155.077 and §155.075.
- (3) Recreational vehicles, travel trailers, or motor homes may not be used for on-site dwelling or non-residential purposes.

(G) *Other regulations.*

- (1) All site utility installations on the property shall be underground.
- (2) No dumpsters or other trash collection containers shall be visible from any adjacent property or roadway and shall be screened in accordance with provisions in the City code.

____(3) The desired architectural design shall be consistent with the traditional Hill Country style. Designs should acknowledge the traditional Hill Country scale, style, colors and materials appropriate for the natural beauty of the area and should preserve views and use scale, colors and materials compatible with the nature of the area.

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Deleted: early Texas-Germanic style . architecture with a mixture of white Auslin cur stone and cedar or . comparable . trim. The desired effect will be to give a Fredericksburg Early . Texas-Germanic style appearance.[]

____(4) When a natural vegetative buffer does not already exist, a landscape buffer shall be required and maintained along all lodging property lines

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abutting property zoned or used for residential purposes so as to visually screen the lodging uses. If required, the buffer shall be installed prior to the issuance of any certificates of occupancy or as required in accordance with this section. The width of the buffer shall be included as part of the required setbacks.

(5) No lodge, cottage or cabin shall be located within one hundred (100) feet of Cypress Creek and one-hundred fifty (150) feet of the Blanco River.

(H) *Parking regulations.* As required by § 155.075, off-street parking and loading requirements.

Lodge – A establishment, at least 2,500 square feet in size, containing bedrooms and accommodations for guests, which may include food, drink, and other sales and services intended for the convenience of guests, a large common area, along with bathing facilities with running hot water and restroom facilities adequate to accommodate the guests residing in the lodge.

Cabin – An establishment, at least 400 square feet in size, containing bedrooms along with bathing facilities with running hot water and restroom facilities adequate to accommodate the guests residing in the lodge.

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Deleted: Except as provided herein, an eight (8) foot wide . evergreen buffer shall be installed consisting of native, adaptive and . drought tolerant bushes, shrubs and plant materials normally expected to . reach eight (8) feet in height in three (3) years time.

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. If the lodging property owner provides proof that natural vegetation exists . on the lodging or abutting property, then this buffer requirement may be . waived as determined by the City Administrator; however, if the existing . vegetation is . removed at a later date for whatever reason, then the . lodging property owner shall be responsible for installation of an . evergreen buffer as described herein within thirty (30) days of the removal . of the existing vegetation. ¶

¶
. Invasive and exotic plants shall not be used. The landscape buffer shall be . irrigated and maintained by the commercial property owner at all times . and vegetation replaced or installed, as needed, to ensure continuous . year-round screening.

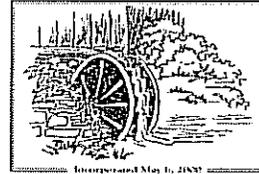
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Report for Zoning Change ZA-10-002



Summary:

A request to change the zoning for a 1.5 acre tract of land located at 45 La Buena Vista from Neighborhood Services (NS) to Public Facilities (PF) and to remove an existing Conditional Use Permit (CUP) for the subject property

Applicant Information:

Applicant:

Renee Boschert
256 Blanco Drive
Wimberley, TX 78676

Property Owner:
Subject Property:

Renee Boschert (La Buena Vista 45 LTD)

Legal Description:

Twenty Three Twenty Five Business Park, Lot 1 Block 1, 1.15 acres

Location:

45 La Buena Vista

Existing Use of Property:

Private School

Existing Zoning:

Neighborhood Services (NS)

Proposed Use of Property:

Public School

Proposed Zoning:

Public Facilities (PF)

Planning Area

II

Overlay District

Surroundings:

Frontage On:

La Buena Vista

**Area Zoning and Land Use
Pattern:**

	Current Zoning	Existing Land Use
N of Property	R2	Residential
S of Property	R2, C1, NS	Residential, Commercial
E of Property	R2	Residential
W of Property	R2, NS	Residential, Commercial

Legal Notice

200' Letters

5/7/2010

Published

5/12/2010

Sign Placement

5/7/2010

Responses

none

Comments:

This item was placed on the agenda to allow the Planning and Zoning Commission to consider a request for a zoning change from Neighborhood Services (NS) to Public Facilities (PF) along with the removal of an existing Conditional Use Permit (CUP) for a tract of land located at 45 La Buena Vista. The subject property is 1.5 acres in size and is located in Planning Area II.

The applicant, Renee Boschert, is proposing to operate a charter school, in conjunction with the Katherine Anne Porter School District, on the subject property. Currently, the applicant operates a Montessori school at the location with a CUP, specific to the operation of the school. In order to operate a public school, as proposed, the property must be zoned PF and the existing CUP for the private school removed.

To date, no public comments have been received on the zoning request. Based upon review of the application, City staff recommends approval of the requested zoning change for the subject property and the removal of the existing CUP.

§ 155.061 NEIGHBORHOOD SERVICES DISTRICT; NS.

(A) *General purpose and description.* The NS, neighborhood services district is established to provide areas for limited local neighborhood, low intensity retail and service facilities for the retail sales of goods and services. These business areas shall utilize established landscape and buffering requirements and can also act as a buffer between residential areas and more intense commercial areas.

(B) *Permitted uses.*

- (1) Single-family residence;
- (2) Religious assembly; and
- (3) Accessory uses as permitted in § 155.076.

(C) *Conditional uses.*

- (1) Administrative and professional office:
 - (a) Insurance, real estate, attorneys, accountants, architects, investment services, travel agencies;
 - (b) Photography studios, doctors, dentists;
 - (c) Non-profit organizations (with certain restrictions);
 - (d) Research services: limited;
 - (e) Office; and
 - (f) Arts and crafts.
- (2) Civic uses (such as City Hall);
- (3) Office/residential;
- (4) Medical services: limited;
- (5) Retail sales and services: limited;
- (6) Repair services: consumer;
- (7) Bed and breakfast lodging;
- (8) Telecommunications towers, commercial antennas, and broadcast towers, subject to all

applicable city regulations;

(9) Private primary educational services; and

(10) Accessory uses as permitted in § 155.076.

(D) *Development regulations.*

(1) Minimum lot size: 6,000 square feet.

(2) Maximum building height (as defined in § 155.005):

(a) Primary buildings: not more than 2 stories and not more than 28 feet with flat roof (see definition) or 35 feet with pitched roof;

(b) Accessory buildings: not more than 18 feet and not more than 1 story; and

(c) Decks: not more than 12 feet including a railing only or 18 feet including a roof.

(3) For minimum setback, no construction, including buildings, parking areas, and driveways, except entry driveways, and no placement or display of commercial material and equipment shall be allowed in the setbacks. The minimum setbacks shall be the larger of the dimensions in § 155.078(A), Table A, or the following:

(a) Dominant street: 25 feet;

(b) Secondary street: 15 feet; and

(c) Interior side and rear yard: 10 feet, 20 feet when adjacent to a residential district and the building is more than 1 story.

(4) Maximum impervious cover: 60%. Impervious coverage shall be calculated as a percentage of the net site area and shall be the lesser of the percentage specified above in this district description or the percentage for the average lot slope in § 155.078(M), Table C.

(5) Maximum building coverage: 50%. Building coverage shall be calculated as a percentage of the net site area.

(6) Maximum building footprint: 4,500 square feet.

(7) Maximum floor area: 9,000 square feet.

(E) *Special district requirements.* Fencing and landscaping are required to mitigate and screen adverse impacts on adjacent residential properties.

(F) *Supplemental development standards.*

(1) All permitted uses within this district, with the exception of medical services, bed and breakfast lodging, residential, and government and public uses, shall have hours of operation between 6:00 am and 10:00 pm.

(2) Open storage is prohibited for all uses.

(3) Recreational vehicles, travel trailers, and motor homes may not be used for on-site dwelling or non-residential purposes.

(4) Other development standards as established in §§ 155.075 *et seq.*, development standards, apply.

(G) *Parking requirements.*

(1) As established by § 155.075, off-street parking and loading requirements.

(2) Open storage is prohibited.

(3) For site plan requirements, see § 155.077.

(4) Recreational vehicles, travel trailers, or motor homes may not be used for on-site dwelling or non-residential purposes.

(Ord. 2001-010, § 40, passed 4-1-2001; Am. Ord. 2004-002, passed 2-19-2004) Penalty, see § 155.999

§ 155.060 PUBLIC FACILITIES; PF.

(A) *General purpose and description.* The PF, public facilities district is intended to provide for the placing of high to moderate impact uses of governmental services and public services facilities in proximity to various forms of neighborhood land uses, to provide needed public services to the community on a local basis, and to provide for the placing of governmental facilities in areas where they are needed to complement the needs of surrounding land uses.

(B) *Permitted uses.*

- (1) Schools - high school, middle school, vocational school, and elementary school;
- (2) Guidance services;
- (3) Administrative services (example - WISD Administration Building);
- (4) Library services;
- (5) Postal facilities;
- (6) City Hall;
- (7) Public recreational facilities;
- (8) National Guard offices; and
- (9) Religious assembly.

(C) *Conditional uses.*

- (1) Institutional: jails, halfway houses, mental health and drug rehabilitation facilities, and involuntary confinement;
- (2) Probation offices and other criminal justice system facilities;
- (3) Detention facilities;
- (4) Vehicle storage for public service institutions;
- (5) Institutional (hospitals and colleges);
- (6) Military installations; and
- (7) Telecommunications towers, commercial antennas, and broadcast towers, subject to all applicable city regulations.

(D) *Development regulations.*

(1) Maximum building height (as defined in § 155.005):

(a) Primary buildings: not more than 2 stories and not more than 28 feet with flat roof (see definition) or 35 feet with pitched roof;

(b) Accessory buildings: not more than 18 feet and not more than 1 story; and

(c) Decks: not more than 12 feet including a railing only or 18 feet including a roof.

(2) Maximum impervious cover: 60%. Impervious coverage shall be calculated as a percentage of the net site area and shall be the lesser of the percentage specified above in this district description or the percentage for the average lot slope in § 155.078(M), Table C.

(3) Maximum building coverage: 50%. Building coverage shall be calculated as a percentage of the net site area.

(4) Maximum building footprint: 7,500 square feet.

(5) For minimum setbacks, no construction, including buildings, parking areas, and driveways, except entry driveways, and no placement or display of commercial material and equipment shall be allowed in the setbacks. The minimum setbacks shall be the larger of the dimensions in § 155.078(A), Table A, or the following:

(a) Dominant street: same as most restrictive district adjacent to PF;

(b) Secondary street: same as most restrictive district adjacent to PF; and

(c) Interior side and rear yard: same as most restrictive district adjacent to PF.

(E) *Other regulations.*

(1) As established in the development standards, §§ 155.075 *et seq.*

(2) Outdoor storage of materials or equipment is prohibited.

(F) *Special requirements.* For site plan requirements, see § 155.077.

(G) *Parking regulations.* As required by § 155.075, off-street parking and loading requirements. (Ord. 2001-010, § 39, passed 4-1-2001) Penalty, see § 155.999

FOR OFFICIAL USE ONLY

APPLICATION DATE: 4/28/2010 FILE NO. ZA-10-002
 TENTATIVE P&Z* HEARING: May 27th TENTATIVE CC** DATE: June 3rd
 CITY INITIATED: YES - NO PLANNING AREA: II ZONING REQUESTED: PF
 ZONING FEES: \$ 300.00 DATE PAID: 4/28/2010 RECEIVED BY: _____

* P&Z - Planning & Zoning Commission ** CC - Village of Wimberley City Council

APPLICATION FOR ZONING

NON-RESIDENTIAL, MULTI-FAMILY DEVELOPMENTS, MOBILE HOME DEVELOPMENTS, CONDITIONAL USE PERMIT APPLICATIONS & WIMBERLEY PLANNED DEVELOPMENT DISTRICTS (WPDD'S)

OWNER, AGENT AND PROJECT DATA

STREET ADDRESS OF PROPERTY TO BE ZONED: 45 La Buena Vista Wimberley, Texas HAYS COUNTY CENTRAL APPRAISAL DISTRICT PROPERTY ID#: R 46074 **
 * New street addresses can be obtained by calling (512) 393-2160
 ** You may obtain this from your property tax statement.

PLEASE PROVIDE DIRECTIONS TO YOUR PROPERTY:
2325 toward Blanco - Turn R on Los Flores across from Subway Sandwich - make L on La Buena Vista - circle to Right - 45 La Buena Vista on right

NOTE: Please clearly mark your property so it is easily identifiable.

1. OWNER'S NAME: Renee S. Boschert HOME PHONE: (512) 847-1220
 BUSINESS PHONE: (512) 847-6055
 FAX: () _____
 E-MAIL: reneebos@email.com

OWNER'S CURRENT MAILING ADDRESS: 256 Blanco Dr. CITY Wimberley STATE TX ZIP 78676

2. AGENT'S NAME: _____ AGENT'S PHONE: () _____
 FAX: () _____
 AGENT'S FIRM NAME: _____ E-MAIL: _____

AGENT'S FIRM MAILING ADDRESS: _____ CITY _____ STATE _____ ZIP _____

PROPERTY INFORMATION

3. TOTAL AREA TO BE ZONED: ACRES 1.5 (OR) SQ.FT. _____ TOTAL NO. of TRACTS: _____
4. PLANNING AREA(S) : _____ 5. REQUESTED ZONING CLASSIFICATION: Public Facility
PROPOSED USE(S): Charter School
6. EXISTING ZONING CLASSIFICATION(S) AND USES (if applicable): _____
7. LEGAL DESCRIPTION
Street Address: 45 La Buena Vista Subdivision: 2325 Business Park Subdivision
Block(s) 1 Lot(s) 1
Plat Book: _____ Page Number: _____
8. DEED RECORDS: (REFERENCE OF DEED CONVEYING PROPERTY TO THE PRESENT OWNER):
VOLUME: _____ PAGE: _____ OF COUNTY PLAT RECORDS

9. OTHER PROVISIONS

A. IS PROPERTY IN AN OVERLAY DISTRICT? YES _____ NO UNKNOWN _____
TYPE OF OVERLAY ZONE(S) (if applicable) _____
B. FLOOD PLAIN (What, if any, flood zone does your property occupy?): no
C. ELECTRIC UTILITY PROVIDER: PEC
WATER UTILITY PROVIDER: Wimberley Water
WASTEWATER UTILITY PROVIDER: septic
HAYS COUNTY SEPTIC PERMIT NUMBER (if applicable): _____

Related Cases, If Applicable

Zoning	File No. _____
Building Permit	File No. _____
Subdivision	File No. _____
Sign Permit	File No. _____
Engineered construction	File No. _____

SITE INSPECTION AUTHORIZATION

Applicant/owner, or Applicant's authorized agent, hereby authorizes the Village of Wimberley representatives to visit and inspect the property for which this application is being submitted.

Date: 4/27/10 APPLICANT SIGNATURE Lenee S. Boechert

WHEN APPLICABLE:

Date: _____ AGENT SIGNATURE _____

**ACKNOWLEDGMENT OF EXISTING
Subdivision Plat Notes, Deed Restrictions Restrictive Covenants
and/or Zoning Conditional Use Permits**

I, the Applicant herein, have checked the subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional use permits prohibiting certain uses and/or requiring certain development restrictions (for example, height, access, screening) on the property now being zoned on my behalf and located at: 45 La Buena Vista, and more particularly known as Lot 1, Block 1 of the Business Park Subdivision.

If a conflict should result with the request I am submitting to the Village of Wimberley due to subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional use permits it will be my responsibility to resolve it. I also acknowledge that I understand the implications of use and/or development restrictions that are a result of subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional use permits.

I understand that if requested, I must provide copies of any and all subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional use permit information, which may apply to this property.

Date: 4/27/10 APPLICANT SIGNATURE Lenee S. Boechert

WHEN APPLICABLE:

Date: _____ AGENT SIGNATURE _____

SUBMITTAL CHECKLIST

TO ENSURE THAT YOU HAVE COMPLIED WITH THE ZONING APPLICATION REQUIREMENTS, REVIEW THE FOLLOWING LIST. FAILURE TO COMPLETE THE NECESSARY STEPS CAN CAUSE A DELAY IN PROCESSING YOUR APPLICATION.

- Complete "Application For Zoning"
- Provide plat map of property to be zoned which includes all properties within 200 feet of any portion of Applicant's property; and which clearly indicates streets in surrounding area.
- Provide plat map of the specific property to be zoned.
- Provide names and addresses of property owners within 200 feet of any portion of Applicant's property.
- Provide a legal description of the property to be zoned.
- Sign/date Submittal Verification form.
- Sign/date Site Inspection Authorization form.
- Sign/date Acknowledgement Form.
- Pay Zoning Fee (this fee is based on the cost of services incurred by the Village of Wimberley in reviewing, processing and recording the zoning request).
- Applicant agrees to attend a pre-zoning conference prior to acceptance of Application.
- Applicant agrees to attend Planning & Zoning Commission hearings scheduled for Applicant's proposed zoning.
- Applicant agrees to attend City Council hearing scheduled for Applicant's proposed zoning or waives his/her rights of appearance (see below).
- Provide detailed Site Plan for WPDD (11x17)

SUBMITTAL VERIFICATION AND/OR WAIVER OF APPEARANCE

- () My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that Village 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 hereby waive my right to appear before the Village of Wimberley City Council at the public hearing to be held concerning the zoning of my above-referenced property. I understand that my failure to appear allows the Council to consider my zoning request; however, if questions are raised that cannot be answered, the matter will be continued.

Date: 4/28/10

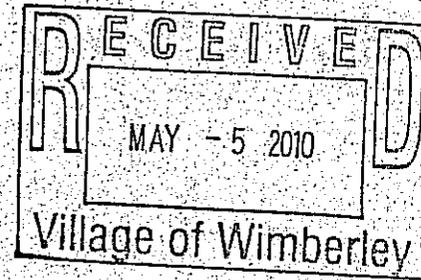
APPLICANT SIGNATURE *Renee S. Bocher*

WHEN APPLICABLE:

Date: _____

AGENT SIGNATURE _____

May 5, 2010



Don Ferguson, City Manager
City Hall, Village of Wimberley

Dear Mr. Ferguson,

We, the owners of the 45 La Buena Vista property in Wimberley, are requesting a zoning change from neighborhood services, removing our current CUP, to public facilities. This property is currently being used as a private, non-profit Montessori school – and for the past 6 years. Starting in August of 2010, we plan to continue delivering the same method of education. However, the school will be administered as a public charter school under the Katherine Anne Porter school district.

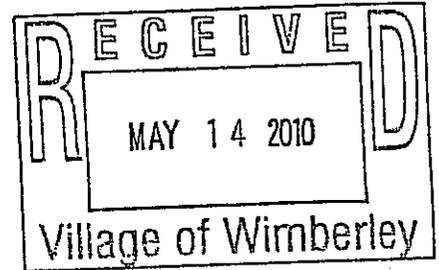
Thank you for your consideration of this request and please contact me at 847-6055 if you have any additional questions or concerns.

Sincerely,

A handwritten signature in cursive script that reads "Renee S. Boschert".

Renee S. Boschert
Director

May 14, 2010



Don Ferguson, City Manager
City Hall, Village of Wimberley

Dear Mr. Ferguson,

We, the owners of the 45 La Buena Vista property in Wimberley, are requesting a zoning change from neighborhood services, removing our current CUP, to public facilities. This property is currently being used as a private, non-profit Montessori school – and for the past 6 years. Starting in August of 2010, we plan to continue delivering the same method of education. However, the school will be administered as a public charter school under the Katherine Anne Porter school district.

Due to timing of the waiver for expansion of the KAPS charter we would like to have this matter addressed at the June 10, P&Z meeting rather than the May 27, date originally requested.

Thank you for your consideration of this request and please contact me at 847-6055 if you have any additional questions or concerns.

Sincerely,

Renee S. Boschert
Director

This parcel of land contains 0.6698 acre (29,176 square feet) off of the northeast end of Lot 1 of Block 1 of 2325 Business Park, a subdivision in Hays County, Texas, and lying within the R. S. Rankin Survey No. 65. The plat of 2325 Business Park was recorded on 27 July 1988 in Book 5, page 62, of the plat records of said county. The land comprising all of 2325 Business Park was conveyed by Paul Raburn to James P. Hidalgo and Marita Adair Hidalgo by that warranty deed dated 14 July 1986, filed 16 July 1986, and recorded on 17 July 1986 in Volume 612, pages 516-519 of the said county records.

This 0.6698 acre parcel is shown on a plat dated 1 March 1999 by Charles R. Swart, Surveyor, and is described in the following paragraphs. The aluminum capped iron monuments at points 157 and 179 are marked "RABURN", "1986", "Charles R. Swart Surveyor", and with the identifying point number. The aluminum capped iron monuments set for the division line of Lot 1 (points 204 and 205) are 5/8 inch diameter iron bars with 2 inch diameter aluminum caps marked "HIDALGO", "1999", "CHARLES R. SWART SURVEYOR", and with the identifying point number shown on the plat and cited herein.

Beginning at the north corner (point 157) of this parcel, which is marked with the aluminum capped iron found in place, and is identical with the north corner of the 2.930 acre tract conveyed by George Nasso, Jr. to Paul Raburn and Julie Raburn by that deed dated 24 May 1985, filed 29 May 1985, and recorded on 30 May 1985 in Volume 522, pages 320-324 of the said deed records, and with the north corner corner of said Lot 1.

Thence, from the point of beginning, South 10 degrees 18.5 minutes East along the northeast line of the 2.930 acre tract, the northeast line of Lot 1, and the northeast line of this parcel a distance of 177.95 feet to the east corner (point 179) of this parcel, which is identical with the east corner of Lot 1, and is marked with the aluminum capped iron monument found in place;

thence South 55 degrees 08.6 minutes West along the southeast line of Lot 1 and the southeast line of this parcel a distance of 122.42 feet to the south corner (point 205) of this parcel, which is marked with an aluminum capped iron monument, 1/2 inch down;

thence North 31 degrees 03.9 minutes West along the southwest line of this parcel a distance of 190.75 feet to the west corner (point 204) of this parcel, which is marked with an aluminum capped iron monument 1 1/2 inches down on the northwest line of Lot 1;

thence North 55 degrees 08.6 minutes East along the northwest line of Lot 1 and the northwest line of this parcel a distance of 74.16 feet to a corner (point 155) of Lot 1 and of this parcel, which is marked with a 1/2 inch I.D. iron pipe found in place;

thence northeasterly along the northwest line of Lot 1, the northwest line of this parcel, and a portion of a circular curve to the right having a radius of 225.42 feet a distance of 114.44 feet to the point of beginning, from which the last described point bears South 69 degrees 42.6 minutes West a distance of 113.21 feet.

I, Charles R. Swart, a Land Surveyor registered under the laws of the State of Texas, have prepared these field notes from a survey which I personally performed.

IN WITNESS WHEREOF I have hereunto set my hand and seal this

74-4-4
3-3-86

Park is conveyed by Paul Raburn to James P. Hidalgo and Marita Adair Hidalgo by that warranty deed dated 14 July 1986, filed 16 July 1986, and recorded on 17 July 1986 in Volume 612, pages 516-519 of the said county records.

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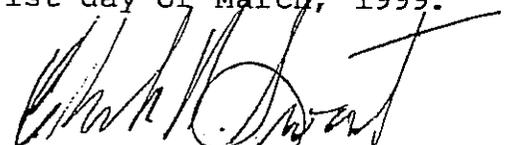
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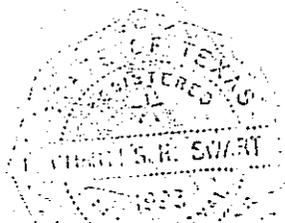
thence North 55 degrees 08.6 minutes East along the northwest line of Lot 1 and the northwest line of this parcel a distance of 74.16 feet to a corner (point 155) of Lot 1 and of this parcel, which is marked with a 1/2 inch I.D. iron pipe found in place;

thence northeasterly along the northwest line of Lot 1, the northwest line of this parcel, and a portion of a circular curve to the right having a radius of 225.42 feet a distance of 114.44 feet to the point of beginning, from which the last described point bears South 69 degrees 42.6 minutes West a distance of 113.21 feet.

I, Charles R. Swart, a Land Surveyor registered under the laws of the State of Texas, have prepared these field notes from a survey which I personally performed.

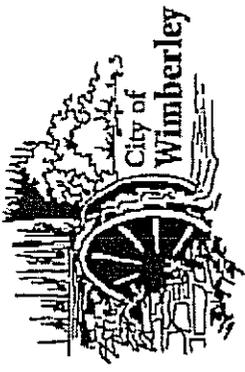
IN WITNESS WHEREOF I have hereunto set my hand and seal this 1st day of March, 1999.


Texas Registration No. 1993



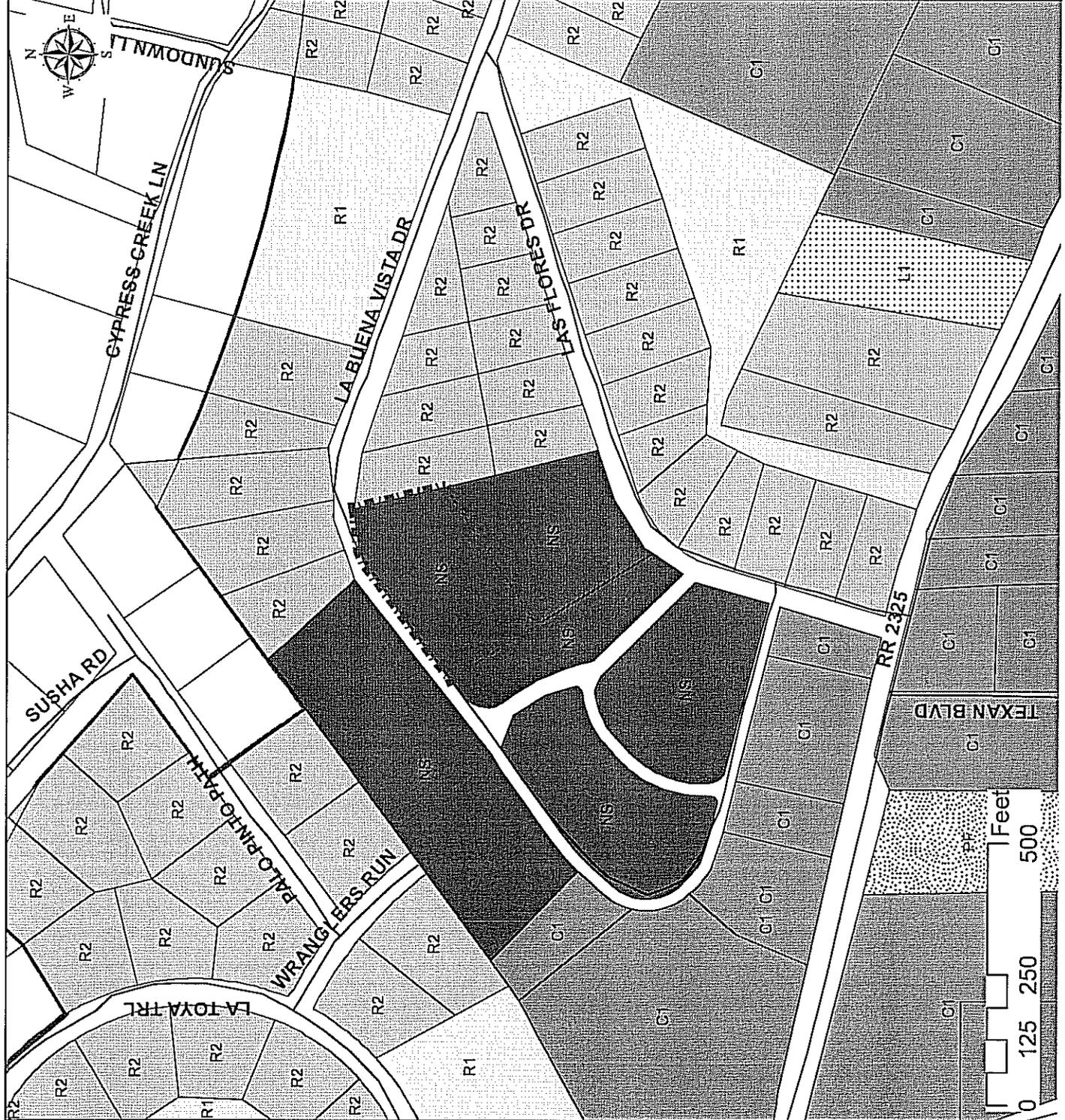
1226N

Zoning Map for ZA -10-002

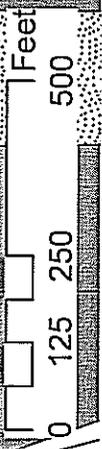
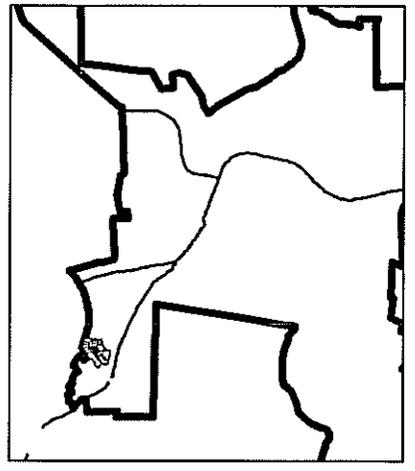


P.O. Box 2027 • Wimberley, Texas 78676

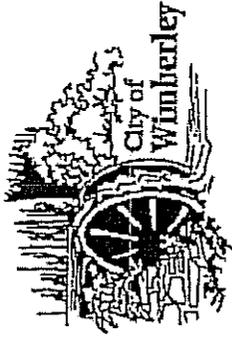
- Subject Property
- Rural Residential 1 (R1)
- Single Family Residential 2 (R2)
- Commercial - Low Impact (C1)
- Lodging 1 (L1)
- Neighborhood Services (NS)
- Public Facilities (PF)



Location Map

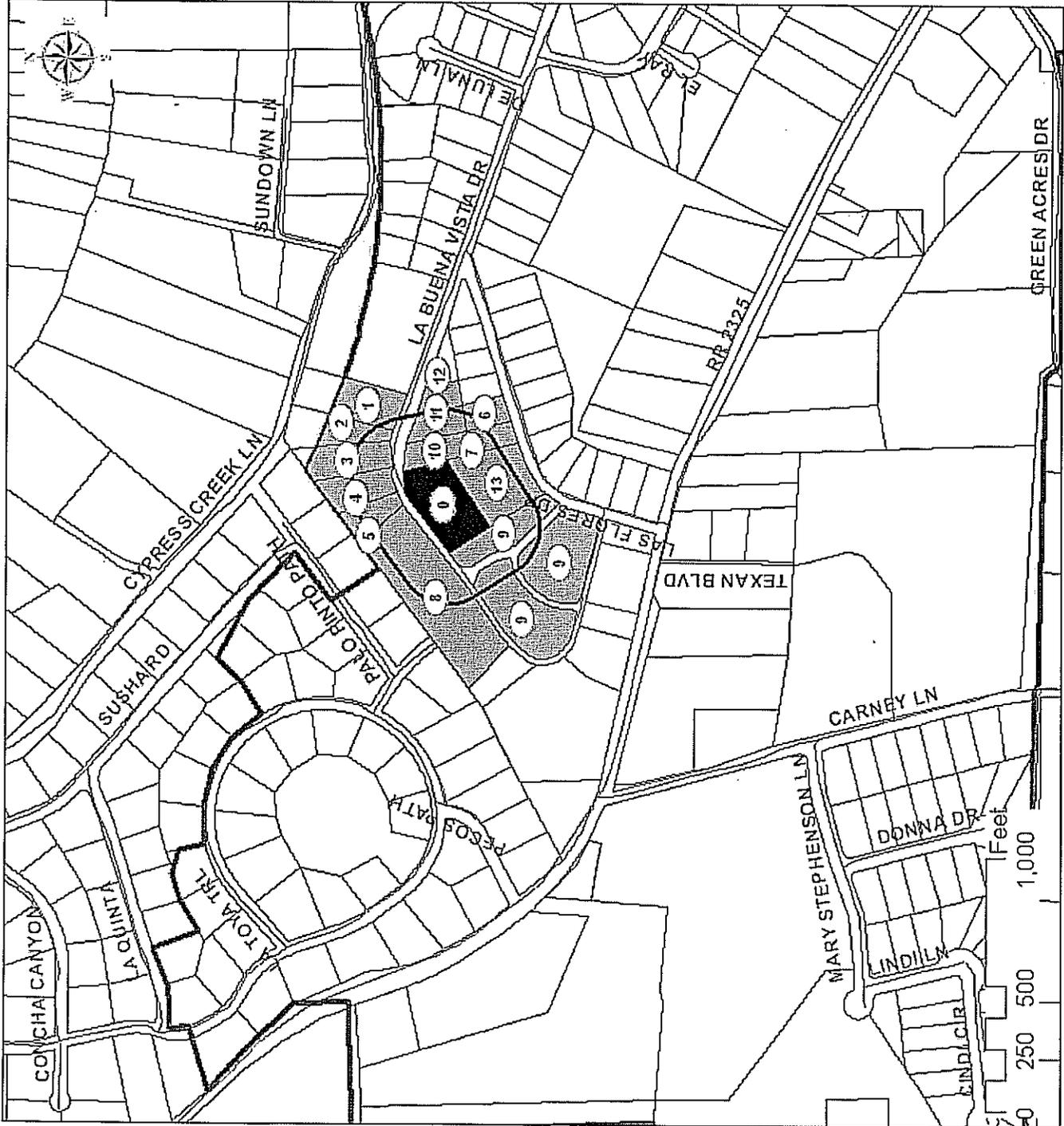


Notification Map for ZA -10-002

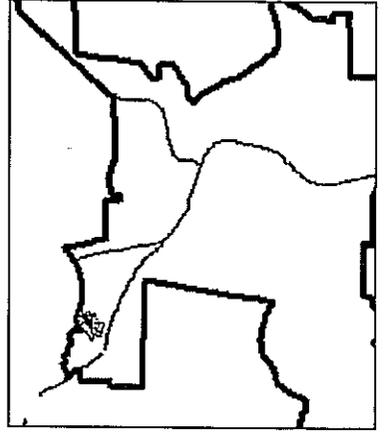


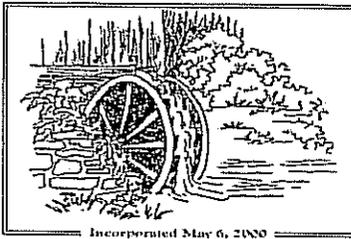
P.O. Box 2027 • Wimberley, Texas 78676

- 200 Notification Buffer
- 0, LABUENA VISTA 45 LTD
- 1, MCGAR MICHAEL & LONGORIA PALMIRA
- 2, IBANEZ SUSAN K TRUSTEE
- 3, IBANEZ SUSAN K TRUSTEE
- 4, UPCHURCH KENT & BETTY &
- 5, JOHNSON BRIAN K &
- 6, DITRAGLIA, DAVID P
- 7, HOBBS, VANCE K, JR.
- 8, JENKINS MICHAEL D
- 9, EAGLE INVESTORS LTD
- 10, LAKE KIRK & CATHY
- 11, ANTHONY THOMAS & JULIE K
- 12, SHEFFIELD, BARBARA JEAN
- 13, EAGLE INVESTORS LTD



Location Map





City of Wimberley

221 Stillwater (P.O. Box 2027), Wimberley, Texas 78676
Phone: 512-847-0025 Fax: 512-847-0422

Tom Haley, Mayor – Charles Roccaforte, Mayor Pro-tem
Council Members – Bob Flocke, Bill Appleman, Steve Thurber, John White
Don Ferguson, City Administrator

May 7, 2010

NOTICE OF PUBLIC HEARING

Re: **File No. ZA-10-002**
45 La Buena Vista

An application to change the zoning for property located at 45 La Buena Vista, Wimberley, Texas from Neighborhood Services (NS) to Public Facilities (PF) and remove a CUP.

Dear Property Owner:

You are receiving this letter because you own property within 200 feet of the above-referenced location.

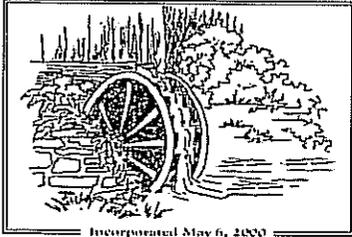
Renee Boschert has applied to change the zoning from Neighborhood Services (NS) to Public Facilities (PF) and remove a Conditional Use Permit for a 1.5 acre tract of land located at 45 La Buena Vista, Wimberley, Texas.

The City of Wimberley Planning & Zoning Commission will consider this request at a public hearing on **Thursday, May 27, 2010 at 6:30 p.m.** in the Wimberley City Hall, 221 Stillwater. Upon a recommendation from the Commission, City Council will hold a Public Hearing to consider the same request on **Thursday, June 3, 2010, at 6:30 p.m.** in the Wimberley City Hall.

Because the granting of this request may affect your property, you are encouraged to participate in the zoning process. The public will be given an opportunity to speak during the hearing. If you wish to comment but are unable to attend, written comments may be submitted to the City Administrator prior to the meeting.

Additional information regarding the proposed zoning is available for public review at City Hall during normal business hours. Should you have questions, please contact the City Administrator at 512-847-0025.

CITY OF WIMBERLEY



City of Wimberley

12111 Ranch Road 12, P.O. Box 2027, Wimberley, Texas, 78676

Phone: (512) 847-0025 - Fax: (512) 847-0422

E-mail: Wimberley@anvilcom.com - Web: www.vil.wimberley.tx.us

NOTICE BY SIGN POSTING

Zoning No: ZA-10-002

Owner _____

Date 5/7/10

To: Code Enforcement/Public Works

Please place a Proposed Zoning Sign on the following property

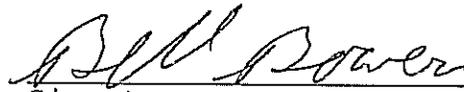
() Project Site Address 45 La Buena Vista Dr

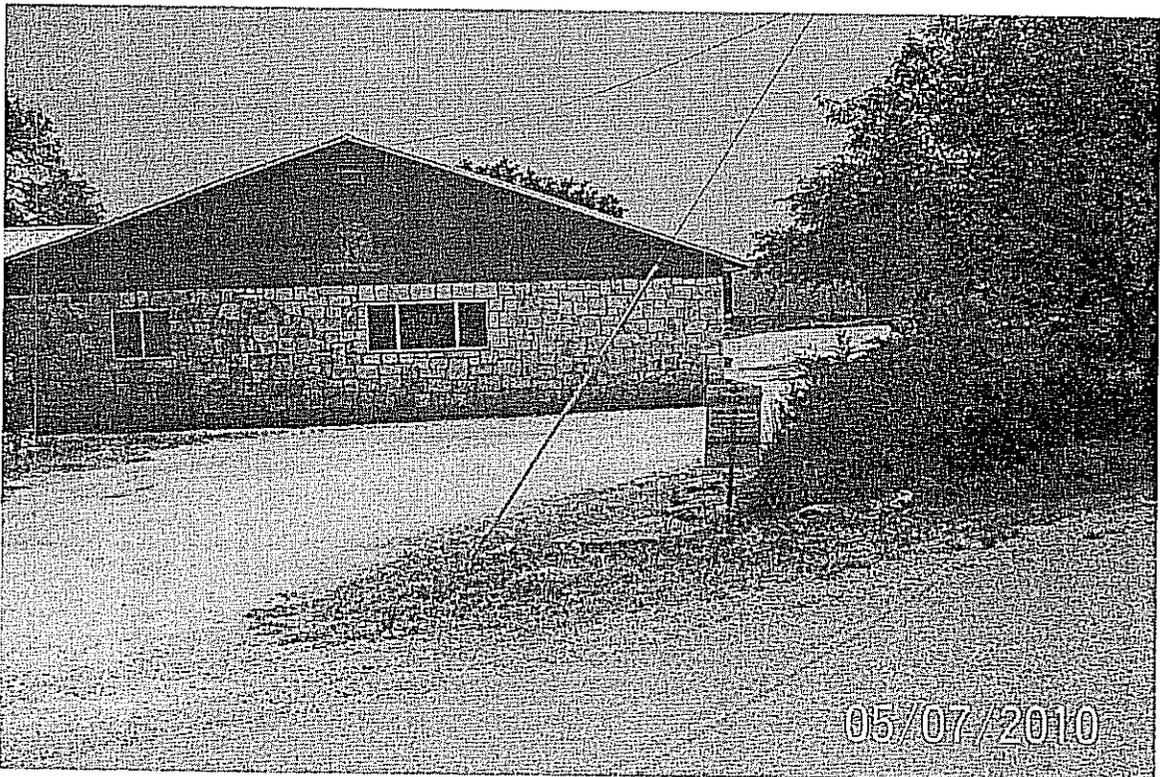
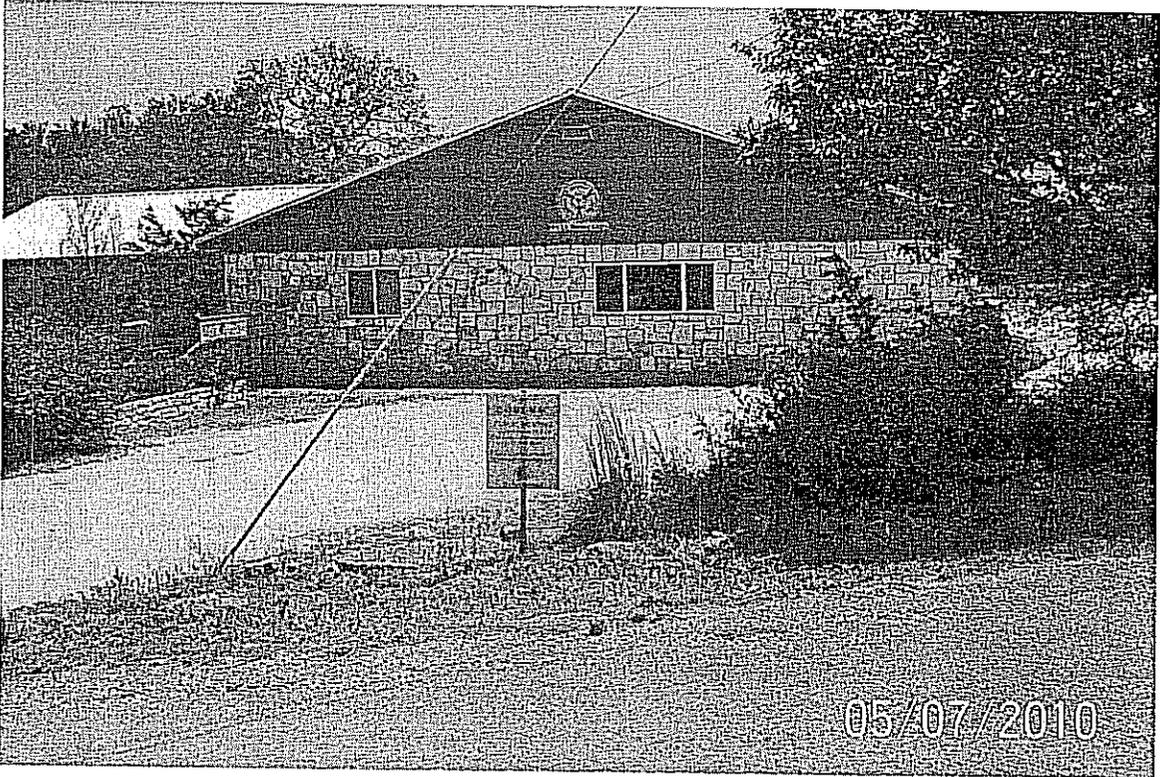
which is located La Buena Vista Dr

Bill Bowers
Asst. Public Works

Note: The above-referenced sign was placed on the subject property on

5/7/10, 2010


Signature



Century-News 858-4163 • Wimberley View 847-2202 •

CLASSIFIED

Si desea informacion en Espanol, puede llamar al 512-239-0200.

★
LEGALS & PUBLIC NOTICES

NOTICE OF PUBLIC HEARING
(Request for Zoning)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on **Thursday, May 27, 2010, at 6:30 p.m.** to consider the following: ZA-010-002 - an application for a zoning change from Neighborhood Services (NS) to Public Facilities (PF) and removal of a Conditional Use Permit at 45 La Buena Vista. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on **Thursday, June 3, 2010, at 6:30 p.m.** at City Hall. Comments on this request from any member of the public may be presented in person or by mail (PO Box 2027) at City Hall prior to the hearing. The public will be granted an opportunity to speak at the hearing. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas. (12028/1a/38)

public hearing, on **Thursday, June 3, 2010, at 6:30 p.m.** at City Hall. Comments on this request from any member of the public may be presented in person or by mail (PO Box 2027) at City Hall prior to the hearing. The public will be granted an opportunity to speak at the hearing. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas. (12028/1a/38)

THE STATE OF TEXAS NOTICE OF SEIZURE/SALE OF REAL PROPERTY COUNTY OF HAYS
A Second Order of Sale was issued the 10th day of March, 2010 by the Clerk of the District Courts, Hays County, Texas on the 22nd day of September, 2009 in favor of Woodcreek Property Owners Association of Hays County, Inc. against Jimmie Lee Barta. Cause #08-2225 reflects a judgement amount of \$1,185.03 with interest there on from the date of judgement at the rate of 5.00% per annum until paid and \$262.00 as costs of the suit with foreclosure of the lien on the following described property. By virtue of the Second Order of Sale, I did on the 10th day of March,

title and interest of Jimmie Lee Barta in and to said property. Sale to begin at 10:30 am sharp. Date: March 12, 2010. Darrell W. Ayres, Constable Precinct 3, Hays County. By Tom L. Wallace, Deputy Constable Precinct 3, Hays County. On the property sold, there are no warranties, expressed or implied, including, but not limited to the implied warranties of property "as is". Bidders are further advised that purchase of the property at this second order of sale may not extinguish any liens or security interests on the property. If there are any questions, consult legal counsel of your choice. (12017/nc/38/40/42)

THE STATE OF TEXAS NOTICE OF SEIZURE/SALE OF REAL PROPERTY COUNTY OF HAYS
A Second Order of Sale was issued the 10th day of March, 2010 by the Clerk of the District Courts, Hays County, Texas on the 22nd day of September, 2009 in favor of Woodcreek Property Owners Association of Hays County, Inc. against Ernest Gutierrez. Cause #09-0978 reflects a judgement amount of \$1,637.83 with interest there on

(12010/nc/38/40/42)

PUBLIC NOTICE
To Whom It May Concern:

Notice is hereby given to all students with disabilities who received special education services (or parents of students) who attended school in Dripping Springs ISD, Wimberley ISD, Blanco ISD or Johnson City ISD. The inactive files from May of 2002, to June of 2003, WILL BE DESTROYED. These records are no longer needed to provide educational services to you (or your child). These records may be needed by you (or your child) for social security benefits or other purposes. Destruction of records will occur on July 1, 2010. You must notify the special education department by or before June 15, 2010, if you want a copy of your records. You may contact Jack Modgling, Director of Intervention & Academic Support, at 512-858-3066 to request copies. This is in compliance with federal regulations 34 CFR 300.573.

A Quien Lo Mayo Concler ne:
Advierta por la presente es dado a todos estudiantes con las incapacidades que recibieron los servicios especiales de la educacion (o los padres

the Hays County Courthouse, 111 San Antonio Street, the Hays County Commissioners' Court will hold a public hearing to consider: **Re-subdivision of Lot 63 in Rolling Oaks Subdivision, Section 3.** (01993/3a/40)

★
ANTIQUES

BUY, SELL, TRADE
One item or estates. Campbell's Collectibles 847-6006 (01844/4cc/45)

★
AUTOS

GOOD OLD BOYS AUTO RECYCLING
Cash for your Cars and Trucks - running or not. Free pick up and/or towing. 512-393-1410. (01997/4cc-1fn/44)

ATTENTION: RoadRunner Recycling
Is now buying all types of scrap metal. We buy junk vehicles, any condition - running, wrecked or not. Cash paid. Location: 16380 N. Hwy 123, San Marcos, TX 512-353-4511 or 512-396-1382 (02949/4cc/44+)

★
BUSINESS OPPORTUNITIES

ONE - 2000 SQ. FT. Office/Warehouse \$850 per month
TWO - 1000 SQ. FT. Office/Warehouse \$550/mo each
THREE - 800 SQ. FT. Office/Retail \$775 per month/each
Plaza Del Sol Wimberley
Call Clay at 512-796-3956

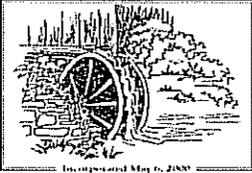
(39750/12cc/50)

★
HELP WANTED

HIGH END BOUTIQUE in Wimberley Seeking mature, dependable sales associate. Tuesday Saturday schedule. full time. Retail experience required. Fax resume to 512-847-9019. (01992/2p/38+)

WISD is accepting applications for:
(1) **Science Composite-Physical** (Full-time), High School, (1) **Math Teacher/Algebra w/Coaching** (Full-time), High School, **English Teacher** (Full-time), High School, **English Teacher w/Coaching** (Full-time), High School, **Agriculture Teacher (Full-Time)**, Jr. High/High School, (1) **Diagnostician/LSS (Full-time)**, Special Education Department, (1) **Food Service Worker** (Full-time), (1) **Custodian**

P & Z Agenda Form



Date Submitted: June 7, 2010

Agenda Date Requested: June 10, 2010

Project/Proposal Title: DISCUSS AND CONSIDER
POSSIBLE DEVELOPMENT OF A LODGING-RETREAT
(L-3) ZONING DISTRICT

Funds Required:

Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow the Planning and Zoning Commission to continue discussions regarding the possible development of a Lodging-Retreat (L-3) zoning district. Attached is a copy of the latest draft of the proposed L-3 zoning district regulations.

§ 155.055 LODGING 3; L-3 RETREAT.

(A) *General purpose and description.* The L-3 Retreat district is intended to accommodate the needs and desires of visitors, tourists and transient guests. It applies to specific areas where public roads and public utilities are available or where suitable alternate private facilities are assured. It is the intent of the district to provide for tourist resort development, excluding hotels and motels, in the form of cottages, cabins, and lodges available for short term rental and accessory uses to serve visitors to such facilities.

Deleted: Resort

Definition: Several rooms with a larger meeting area, restrooms showers in one contained place guest

(B) *Permitted uses.*

- (1) Lodges;
- (2) Detached cabins or cottages
- (3) RV (One (1) RV represents two (2) guest bedrooms),
- (4) Accessory uses to the main use including but not limited to retail sales and service, restaurant and recreation facilities ; and
- (5) Single family residential
- (6) Religious assembly.

Deleted: maximum of 30 guest bedrooms per lodge; (2)

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(C) *Conditional uses.*

- (A) Sit down eating establishments with the sale of beer, wine and alcohol for on-premise consumption.
- (B) Telecommunications towers, commercial antennas, and broadcast towers, subject to all applicable city regulations.

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(D) *Required facilities.*

All lodges, cabins and cottages units shall have electricity and sanitary facilities to include bathing facilities with running hot water and restroom facilities adequate to accommodate the guests residing in the lodge, cabin and cottage.

(E) *Development regulations.*

- (1) Minimum lot size: 10 acres.
- (2) Maximum guest bedrooms (all forms) per individual acre: 10
- (3) Maximum guest bedrooms (all forms): 200
- (4) Maximum building height (as defined in § 155.005):
 - (a) Primary buildings: not more than 2 stories and not more than 28 feet with flat roof (see definition) or 35 feet with pitched roof;
 - (b) Accessory buildings: not more than 18 feet and not more than 1 story; and
- (5) Minimum floor area per cottage or cabin: (400 square feet)
- (6) Minimum floor area per a lodge: (2500 square feet)

Deleted: (2) Maximum guest beds per lodge: 30 (3) Maximum guest beds per cottage and cabin: 4 (1)

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~~(7) Maximum building footprint per lodge: 15,000 square feet~~

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~~(8) Maximum floor area of the lodging/service building: 30,000 square feet.~~

~~(9) For minimum required setbacks, no construction, including buildings, parking areas, and driveways, except entry driveways, and no placement or display of commercial material and equipment shall be allowed in the setbacks.~~

Deleted: (7) Minimum floor area per a lodge: (2500 square feet)

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(a) Dominant street: 50 feet;

(b) Secondary street: 30 feet;

(c) Interior side yard: 20 feet, 30 feet when adjacent to a residential district, 50 feet if the building is more than 1 story; and

(d) Rear yard: 50 feet, 75 feet when adjacent to a residential district, 100 feet if the building is more than 1 story.

Deleted: (9) Maximum floor area of the lodging/service building: 20,000 square feet.

(10) Maximum impervious coverage: 25%. Impervious coverage shall be calculated as a percentage of the net site area. The maximum impervious cover limits may be increased up to five (5) percentage points if roof runoff from structures on site is isolated, treated and used for irrigation.

(11) Maximum building coverage: 20%. Building coverage shall be calculated as a percentage of the net site area.

Deleted: (12) Maximum building footprint: 15,000 square feet.

(F) Special requirements.

(1) Open storage is prohibited.

(2) For site plan and development standards requirements, see § 155.077 and §155.075.

(3) Recreational vehicles, travel trailers, or motor homes may not be used for on-site dwelling or non-residential purposes.

(G) Other regulations.

(1) All site utility installations on the property shall be underground.

~~(2) Outdoor camping is prohibited~~

~~(3) No dumpsters or other trash collection containers shall be visible from any adjacent property or roadway and shall be screened in accordance with provisions in the City code.~~

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~~(4) The desired architectural design shall be consistent with the traditional Hill Country style. Designs should acknowledge the traditional Hill Country scale, colors and materials appropriate for the natural beauty of the area and should preserve views and use scale, colors and materials compatible with the nature of the area.~~

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(5) When a natural vegetative buffer does not already exist, a landscape buffer shall be required and maintained along all lodging property lines abutting property zoned or used for residential purposes so as to visually screen the lodging uses. If required, the buffer shall be installed prior to the issuance of any certificates of occupancy or as required in accordance with this section. Any buffer may be included as part of the required setbacks.

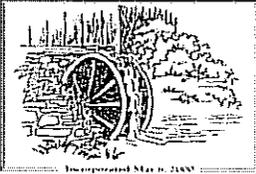
(6) No lodge, cottage, cabin or RV shall be located within one hundred (100) feet of Cypress Creek and one-hundred fifty (150) feet of the Blanco River.

(H) *Parking regulations.* As required by § 155.075, off-street parking and loading requirements.

DRAFT

- Deleted: early Texas-Germanic style . architecture with a mixture of white Austin cur stone and cedar or . comparable . trim. The desired effect will be to give a Fredericksburg Early . Texas-Germanic style appearance.¶
- Deleted: 4
- Deleted: A
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- Deleted: .
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- Deleted: Except as provided herein, an eight (8) foot wide . evergreen buffer shall be installed consisting of native, adaptive and . drought tolerant bushes, shrubs and plant materials normally expected to . reach eight (8) feet in height in three (3) years time.
- Deleted: T
- Deleted: .
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- ¶ . If the lodging property owner provides proof that natural vegetation exists . on the lodging or abutting property, then this buffer requirement may be . waived as determined by the City Administrator; however, if the existing . vegetation is . removed at a later date for whatever reason, then the . lodging property owner shall be responsible for installation of an . evergreen buffer as described herein within thirty (30) days of the removal . of the existing vegetation. ¶
- ¶ . Invasive and exotic plants shall not be used. The landscape buffer shall be . irrigated and maintained by the commercial property owner at all times . and vegetation replaced or installed, as needed, to ensure continuous . year-round screening. The width of the
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P & Z Agenda Form



Date Submitted: June 7, 2010

Agenda Date Requested: June 10, 2010

Project/Proposal Title: STAFF & COMMISSION
REPORTS

Funds Required:
Funds Available:

Commission Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow for reports to be presented by Commission members and for future agenda item requests.