

**City of Wimberley**  
City Hall, 221 Stillwater  
Wimberley, Texas 78676  
**Planning & Zoning Commission**  
Minutes of Regular Meeting  
July 8, 2010 at 6:30 p.m.

Meeting called to order by Chairman Tracey Dean. Present were Commissioners Mike Jones, Jean Ross, Steve Klepfer, and David Glenn. Commissioners Lila McCall and Phil Dane had excused absences.

Staff Present: City Administrator Don Ferguson and City Secretary Cara McPartland.

**Citizen Communications:**

No citizen comments were heard.

**1. Consent Agenda**

Approval of minutes of the regular Planning & Zoning Commission meeting on June 10, 2010.

Commissioner Ross moved to approve the minutes as presented. Commissioner Glenn seconded. Motion carried on a vote of 3-0. Commissioners Jones and Klepfer abstained.

**2. Public Hearing and Possible Action**

- A. Hold a public hearing and make a recommendation to City Council regarding Case #CUP-10-008, an application for a conditional use permit to allow for a sit-down eating establishment including the sale of beer, wine and alcohol for on-premise consumption on a commercial tract of land located at 111 River Road, Wimberley, Hays County, Texas. (*Leaning Pear, LLC, Applicant; consideration of this item was delayed from the June 24, 2010 meeting of the Planning and Zoning Commission due to the lack of a quorum*)

City Administrator Ferguson reviewed the application, including subject property location, acreage, current/proposed zoning and uses, and notification. He stated that staff received no comments from surrounding property owners either for or against the application, and recommended approval.

No public comments were heard.

Commissioner Ross moved to recommend approval of the item as presented. Commissioner Klepfer seconded. Motion carried on a vote of 5-0.

- B. Hold a public hearing and make a recommendation to City Council on an ordinance amending Chapter 155 (Zoning) Subsections 155.107(B)(2) and (B)(3) (Planning and Zoning Commission) of the Code of Ordinances of the City of Wimberley, Texas in order to revise the appointment process for Planning and Zoning Commission members; and providing for findings of fact, an effective date; proper notice and meeting, and severability. *(City Administrator; consideration of this item was delayed from the June 24, 2010 meeting of the Planning and Zoning Commission due to the lack of a quorum)*

City Administrator Ferguson stated the purpose of this agenda item in order to replace a staggered term appointment process that has been in place for several years and make the Commission's appointment process consistent with other City of Wimberley boards and commissions.

City Administrator Ferguson explained the reasoning for the following proposed ordinance language: "Each member of the City Council and Mayor shall nominate one member to the Commission no later than forty-five days after taking office. A seventh member shall be nominated by a consensus of Council no later than forty-five days after the Mayor takes office. Each person nominated must be approved by a simple majority vote of the Council before becoming a member of the Commission. Each member's term in office will run concurrent with the term of the City Councilmember who made his or her appointment, unless sooner removed or resigned. The term of the consensus member shall run concurrent with the term of the Mayor. The members of the Board shall serve until their successors are appointed. Each Commission member shall be eligible for reappointment."

City Administrator Ferguson suggested replacing references to "no later than forty-five days after taking office" with "no later than City Council's first regular meeting in July," in order to be consistent with existing language in similar ordinance(s) relating to other City boards/commissions.

Discussion clarified the existing appointment process, reasoning for staggered terms, past discussions, pros/cons of the proposed ordinance, and the potential for wholesale changes under the proposed appointment process.

Commissioner Ross moved to recommend approval of the item, with the inclusion of City Administrator Ferguson's previously suggested changes. Commissioner Jones seconded. Motion carried on a vote of 5-0.

### **3. Discussion and Action**

Discuss and consider the possible action on where to allow a proposed Retreat zoning district, if approved, within the city limits of Wimberley, Texas. *(City Administrator)*

City Administrator Ferguson explained the need to designate where to allow the proposed zoning district in order to include this issue as part of the public hearing process on creation of a Retreat district. He displayed current planning area and zoning maps and pointed out locations of certain properties that exemplify Retreat uses and their respective current planning areas. He reviewed past discussions on protections against large-scale development such as buffering, density controls, protection of waterways, and possible expansion of the downtown overlay district.

Discussion included:

- Original reasoning for creation of a Retreat district to address pre-existing, non-conforming uses that currently do not fit into any zoning district, in order to allow for future needs for remodeling/expansion, without initiating the Wimberley Planned Development District (WPDD) process
- Specific properties that would fit in a Retreat zoning district, if created
- Protections for residential areas such as various density controls and buffering requirements
- Unintended consequences of creating a Retreat zoning district in order to complete the City-initiated zoning project and the impact of such a district on future development
- Allowance for recreational vehicles (RVs) under certain conditions
- Clarification on protections to allow only limited numbers of RVs on retreat properties for short-term guests, which would not allow for an economically viable RV park operation
- Clarification on definition change from: "one (1) RV = two (2) guest bedrooms" to "one (1) RV site = 2 guest bedrooms"
- Maximum RV pad sites allowed = ten (10) per total development, with only one (1) RV allowed per single acre
- Need for public input before any final Commission recommendation to City Council
- Positive remarks on retaining the ambiance of certain existing retreat-type lodging facilities

General consensus was reached to recommend allowance of Retreat zoning in Planning Areas I & II, with the understanding that the Commission's final recommendation will be subject to input received at upcoming public hearings. City Administrator Ferguson explained the public hearing process and anticipated the first Planning and Zoning Commission public hearing to be held on August 12, 2010, followed by two subsequent hearings to be held by City Council.

Commissioner Glenn moved to recommend that a proposed Retreat zoning district, if approved, shall be allowed in Planning Areas I & II. Commissioner Jones seconded. Motion carried on a vote of 5-0.

City Administrator Ferguson advised that the Commission will be provided with a final draft to review sufficiently prior to its scheduled public hearing.

**4. Staff and Commission Reports**

- Announcements
- Future Agenda Items

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

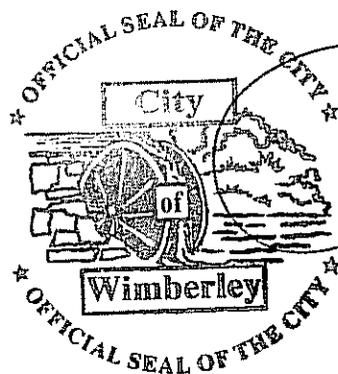
**Adjourn at 7:14 p.m.**

Recorded by:

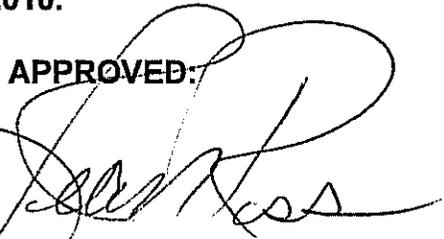


Cara McPartland

**These minutes approved the 22nd of July, 2010.**



**APPROVED:**



**Jean Ross, Acting Chair**